

DEPARTMENT OF AGRARIAN REFORM



LAWS & EXECUTIVE ISSUANCES

AGRARIAN REFORM (1902-2022)



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AGRARIAN REFORM



FOREWORD

The history of agrarian reform in this country is a chronicle of the struggles of the landless Filipino farmer to liberate himself from his bondage to the soil and to the system of inequality bred by that bondage.

It is also a chronicle of the struggle of government to build a responsive policy framework that ensures not only ownership of the farmer of the land he tills, but also ready access to services that will enable him to make his land productive and thereby, expand his opportunities to attain a better quality of life for himself and his family.

This compilation of all laws and executive issuances on agrarian reform promulgated through 102 years, from 1902 to 2022, offers a trove of information containing the evolution of governmental policies on agrarian reform that, in sum, represent government's best responses to the struggle for emancipation of the landless farmer for the past century.

We offer this at a time when we are embarking on passing a landmark legislation that seeks the full emancipation of the farmer from his bondage to the soil in response to the call of President Ferdinand R. Marcos, Jr. to condone all unpaid payments of amortizations, interests and charges for debts incurred by the agrarian reform beneficiaries in the acquisition of the land awarded to them by government. This legislation also seeks to assume unpaid obligations of farmers to landowners under the voluntary offer to sell/land transfer scheme. A free land distribution program covering agricultural lands owned by government is also included

as well as a broader package of support services for agrarian reform beneficiaries and their families.

We look ahead, with this new emancipation law, to an agrarian policy framework that envisions a new breed of farmers who are not mere beneficiaries of government services, but authentic productive partners of government in national development.

Towards this vision, we offer this compendium of agrarian reform laws and issuances to agrarian reform workers and advocates, researchers, policy study specialists, students, academicians and legal practitioners, legislators and legislative workers, and all other interested sectors, as our contribution to the unceasing quest for better modes and means for government to serve and make life better for every Filipino.

In behalf of the Department of Agrarian Reform, I acknowledge with deep gratitude, the invaluable assistance of the staff of the Legislative Information Resources Management Department of the House of Representatives under the leadership of Dr. Edgardo H. Pangilinan, who, with Undersecretary Marilyn B. Barua-Yap, made this compendium possible.

I hope that this compendium further strengthens the partnership of the Department of Agrarian Reform and the House of Representatives in enhancing access to information and knowledge necessary for responsive legislation and policy making.

Thank you.

A handwritten signature in black ink, appearing to read 'Conrado M. Estrella III', written over a diagonal line.

SEC. CONRADO M. ESTRELLA III
Department of Agrarian Reform

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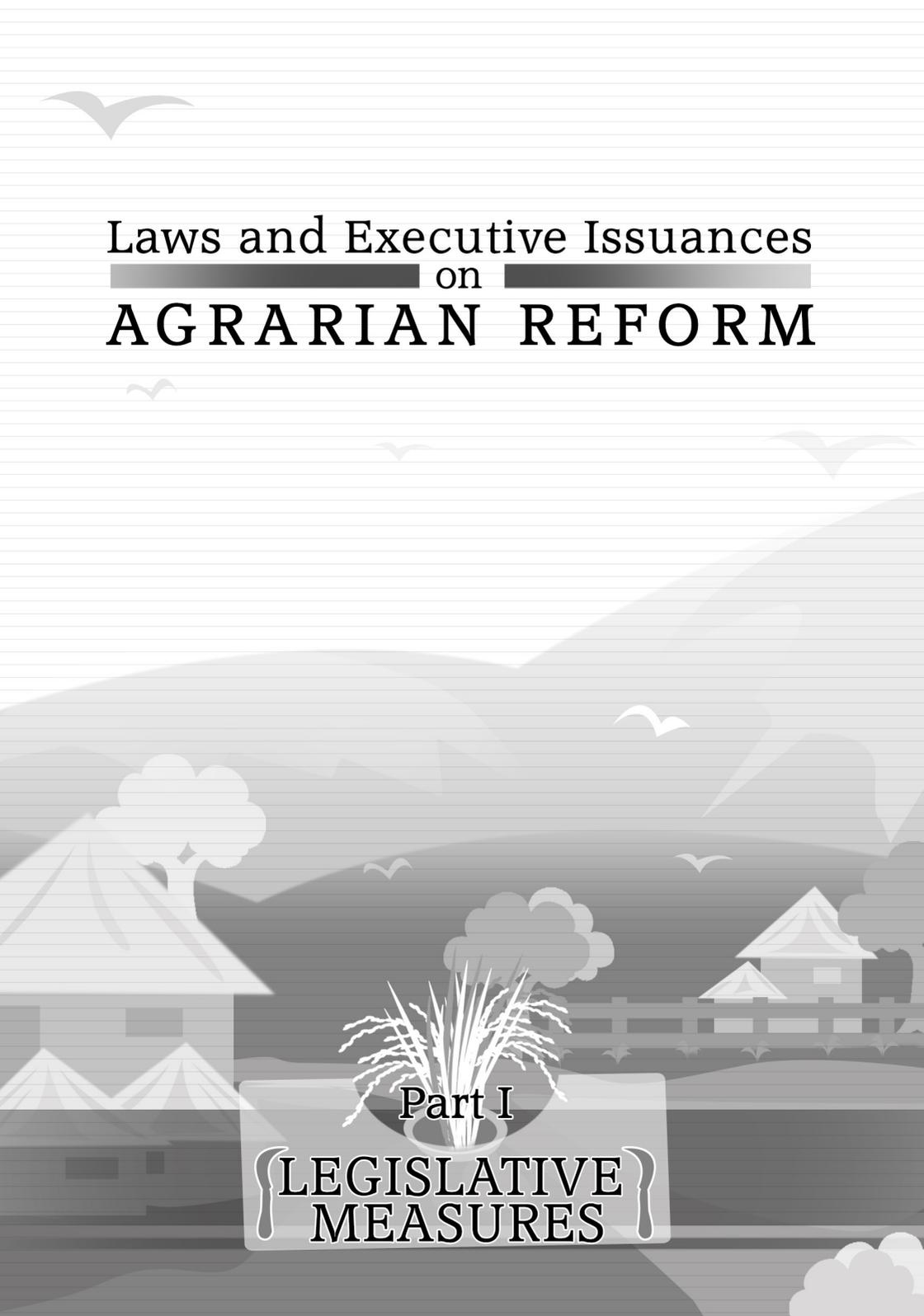
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Part I

{ LEGISLATIVE
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PUBLIC ACTS

ACT NO. 496

**AN ACT TO PROVIDE FOR THE ADJUDICATION AND
REGISTRATION OF TITLES TO LANDS IN THE PHILIPPINE
ISLANDS**

By authority of the United States, be it enacted by the Philippine Commission, that:

SECTION 1. The short title of this Act shall be “The Land Registration Act.”

SEC. 2. A court is hereby established to be called the “Court of Land Registration,” which shall have exclusive jurisdiction of all applications for the registration under this Act of title to land or buildings or an interest therein within the Philippine Islands, with power to hear and determine all questions arising upon such applications, and also have jurisdiction over such other questions as may come before it under this Act, subject, however, to the right of appeal, as hereinafter provided. The proceedings upon such applications shall be proceedings in rem against the land and the buildings and improvements thereon, and the decrees shall operate directly on the land and the buildings and improvements thereon, and vest and establish title thereto.

The court shall hold its sittings in Manila, but may adjourn from time to time to such other places as the public convenience may require, and may hold sessions at any time in the capital of any province. In the city of Manila, the Municipal Board, and in the provinces, the provincial boards, shall provide suitable rooms for the sittings of the Court of Land Registration in the same building with, or convenient to, the office of the register of deeds, and shall provide all necessary books and such printed blanks and stationery for use in registration proceedings as may be ordered by the court hereby created.

The court shall have jurisdiction throughout the Philippine Archipelago, and shall always be open, except on Sundays and holidays established by law. It shall be a court of record, and shall

cause to be made a seal, and to be sealed therewith all orders, process, and papers made by or proceeding from the court and requiring a seal. All notices, orders, and process of such court may run into any province and be returnable, as the court may direct.

The court shall from time to time make general rules and forms for procedure, conforming as near as may be to the practice in special proceedings in Courts of First Instance, but subject to the express provisions of this Act and to general laws. Such rules and forms before taking effect shall be approved by the judges of the Supreme Court or a majority thereof.

In this Act, except where the context requires a different construction, the word "court" shall mean the Court of Land Registration.

SEC. 3. The Civil Governor, with the advice and consent of the Philippine Commission, shall appoint two judges of the Court of Land Registration, one of whom shall be appointed, commissioned, and qualified as judge of the Court of Land Registration, and the other as associate judge thereof, each of whom may be removed by the Civil Governor, with the advice and consent of the Philippine Commission, and any vacancy shall be filled in the manner in this section provided. Such further associate judges of the Court of Land Registration shall be appointed in the manner in this section provided, as experience shall prove to be necessary, but the necessity for such additional judges shall be determined by act of the Philippine Commission.

SEC. 4. The authority and jurisdiction of the Court of Land Registration shall begin and take effect as soon as the judges thereof are appointed and qualified in the manner required by law for judicial officers. The court may be held by a single judge, and when so held shall have all the authority and jurisdiction committed to said court. Different sessions may be held at the same time, either in the same province or in different provinces, as the judges may decide, and they shall so arrange sessions as to insure a prompt discharge of the business of the court.

SEC. 5. Citations, orders of notice, and all other process issuing from the court shall be under the seal of the court and signed by the judge or clerk thereof, and shall be served in the manner provided for the service of process in the Code of Procedure in Civil Actions and Special Proceedings, and by the officers therein designated as officers of the court, unless otherwise specially ordered in this Act.

SEC. 6. In case of a vacancy in the office of judge of the Court of Land Registration, or of his absence or inability to perform his duties, the associate judge shall perform them until the vacancy is filled or any disability is removed.

SEC. 7. The Civil Governor, with the advice and consent of the Philippine Commission, shall appoint a clerk, who may be removed in the manner provided for the removal of a judge by virtue of section three, and a vacancy in his office may be filled in the manner in that section provided. He shall attend the sessions of the court and keep a docket of all causes and shall affix the seal of the court to all process or papers proceeding therefrom and requiring a seal.

SEC. 8. The clerk shall be under the direction of the court, shall have the custody and control of all papers and documents filed with him under the provisions of this Act, and shall carefully number and index the same. Said papers and documents shall be kept in the city of Manila, in an office to be called the "Land Registration Office," which shall be in the same building as the Court of Land Registration or near to it. Clerks shall have authority, subject to the provisions of the Civil Service Law, to employ such deputies, assistants, translators, stenographers, typewriters, and messengers as may be necessary, the number and salaries of such employees to be fixed with the approval of the Attorney-General.

SEC. 9. The clerk may act in the city of Manila and in any province, and after land has been registered under this Act he may make all memoranda affecting the title, and enter and issue certificates of title as provided herein.

SEC. 10. There shall be a register of deeds in the city of Manila, and one in each province, who shall be appointed and removed in

the manner provided for the appointment and removal of judges by section three, and who, after any land within their respective districts has been registered under this Act shall have the same authority as the clerk of the Court of Land Registration to make all memoranda affecting the title of such land, and to enter and issue new certificates of title as provided herein, and to affix the seal of the court to such certificates and duplicate certificates of title; but in executing the provisions of this Act the registers of deeds shall be subject to the general direction of the clerk of the Court of Land Registration, in order to secure uniformity throughout the Archipelago, and their official designation shall be registers of deeds for the province or for the city of Manila, in which their duties are to be performed, as the case may be. In case of the death or disability of the clerk of the Court of Land Registration, the register of deeds for the city of Manila shall perform the duties of the clerk until the vacancy is filled or the disability is removed.

SEC. 11. The clerk of the Court of Land Registration and all registers of deeds shall be sworn before any official authorized to administer oaths, and a record thereof shall be made in the records of the court. They shall each give a bond to the Government of the Philippine Islands for the benefit of whom it may concern in a sum to be fixed by the court for the faithful performance of their official duties, before entering upon the same. The judge and the associate judges, and the clerk of the Court of Land Registration and all registers of deeds, will have power to administer oaths in all matters and cases in which an oath is required, whether pertaining to the registration of lands or otherwise. The clerk and his deputy and all registers of deeds shall keep an accurate account of all moneys received, as fees or otherwise, which shall be subject to examination by the Auditor for the Philippine Archipelago in the city of Manila, and by the provincial treasurers in the several provinces, and to revision thereof by the Auditor for the Philippine Archipelago, and they shall pay over such moneys at the end of each calendar month to the Treasurer of the Philippine Archipelago, except such moneys as are otherwise disposed of by the provisions of section thirteen of this Act. In the case of the death, absence, or disability of any register of deeds, the assistant register, or if there is no assistant register, the person acting as clerk in the office of register of deeds, shall

perform the duties of register, and the register, if living, shall be held responsible for him. The clerk of the Court of Land Registration and all registers of deeds may require bonds of indemnity from all deputies, assistants, and employees in their respective offices. Each register of deeds may appoint such deputies, assistants, clerks, stenographers, typewriters, and translators and at such salaries as the provincial board or the Municipal Board of the city of Manila, as the case may be, authorize, with the approval of the Treasurer of the Philippine Archipelago.

SEC. 12. The Civil Governor, with the advice and approval of the Philippine Commission, may appoint one or more examiners of titles in each of the fifteen judicial districts of the Philippine Archipelago, who shall be lawyers, and who shall be subject to removal in the manner provided in section three, and vacancies therein may be filled in the manner in that section provided.

SEC. 13. The salary of the judge of the Court of Land Registration shall be five thousand dollars per annum, that of associate judge, and of any associate judge subsequently appointed under this Act, shall be four thousand dollars per annum, and that of the clerk of the court shall be two thousand five hundred dollars per annum. The salaries of registers of deeds and examiners of titles shall be fixed by act of the Philippine Commission in proportion to the amount of business and responsibility of their several offices to which appointments may be made. All salaries and expenses of the court, including those for necessary interpreters, translators, stenographers, typewriters, and other employees, as well as those of deputy or assistant clerks duly authorized and examiners of titles, shall be paid from the Treasury of the Philippine Archipelago, but the salaries of the registers of deeds and of all deputies, assistants, or clerks duly authorized and by them appointed, and all the expenses of every kind incident to the office of register of deeds, including necessary books and stationery, shall be paid out of the respective provincial treasuries or out of the Insular Treasury from funds belonging to the city of Manila, as the case may be. All fees payable under this Act for the services of the clerk of the Court of Land Registration and those of the examiner of titles, including the fee for the original application, for filing plans, for indexing

and recording an instrument while application for registration is pending, for examining title, for notices by mail, for notices by publication, for entry of order dismissing application, or decree of registration, and sending memorandum thereof to register of deeds, copy of decree of registration, filing petitions in court, and making certified copies of decrees, shall be paid into the Treasury of the Philippine Archipelago. All fees payable under this Act for the services of the register of deeds or his deputy or clerks, including those for entry of original certificate of title, issuing all duplicates thereof, making and entering new certificates of title and all duplicates thereof, for the registration of instruments, making and attesting copies of memorandum on instruments, for filing and registering adverse claims, for entering statement of change of residence or post-office, for entering any note on registration book, for registration of a suggestion of death or notice of proceedings in bankruptcy, insolvency or the like, for the registration of a discharge of a lease or a mortgage or instrument creating an incumbrance, for the registration of any levy or any discharge or dissolution of attachment or levy or of any certificate of or receipt for payment of taxes or a notice of any pending action, of a judgment or decree, for indorsing of any mortgage lien or other instrument, memorandum of partition, certified copies of registered instruments, shall be paid into the appropriate provincial treasury, or into the Treasury of the Philippine Archipelago for the city of Manila, as the case may be. All fees payable under this Act for services by sheriff or other officer shall be paid to the officer entitled thereto. Registers of deeds shall pay over to the provincial treasury or to the Treasury of the Philippine Archipelago, as the case may be, at the end of each calendar month all funds received by them in accordance with the provisions of this Act.

SEC. 14. Every order, decision, and decree of the Court of Land Registration shall be subject to appeal to the Court of First Instance of the city or province where the land lies, concerning which the order, decision, or decree appealed from was made; but the proceeding shall not pass to the Court of First Instance for review upon the appeal until final determination by the Court of Land Registration of the whole proceeding in which the order, decision, or decree appealed from was made. The appeal shall be made and

entered within thirty days from the date of the final order, decision, or decree, and the party, appealing shall, at the time of entering his appeal, file in the Court of First Instance copies of all material papers in the case certified by the clerk. Appearances and answers shall be filed in the Court of First Instance within thirty days after the appeal is entered, unless for good cause further time is allowed, and upon motion of either party the case shall be advanced for speedy hearing, and shall be tried by the Court of First Instance as other actions are tried in that court. All competent testimony which has been taken in writing before the Court of Land Registration may be used on the trial in the Court of First Instance. Questions of law arising in the Court of First Instance on trial of the appeal may be taken to the Supreme Court for revisions by any party aggrieved, in the same manner as in ordinary actions in the Court of First Instance.

Whenever the facts before the Court of Land Registration shall not be in dispute, but a pure question of law only is determinative of the decision or decree to be made, that court may, after its decision or decree therein, report such decision or decree directly for the consideration of the Supreme Court with so much of the case as may be necessary for the understanding of such questions of law, without transmitting the same to the Court of First Instance. But the procedure last provided shall not be made in any case where any party desires an appeal to the Court of First Instance.

SEC. 15. At the end of the proceedings on appeal, the clerk of the appellate court in which final decision was made shall certify to the Court of Land Registration the final decision on the appeal, and the Court of Land Registration shall enter the final decree in the case, in accordance with the certificate of the clerk of the appellate court in which final decision was made.

SEC. 16. If the party appealing does not prosecute his appeal within the time limited, the original order, decision, or decree shall and as if no appeal had been taken.

SEC. 17. The Court of Land Registration, in all matters over which it has jurisdiction, may enforce its orders, judgments, or

derives in the same manner as orders, judgments, and decrees are enforced in the Courts of First Instance, and, upon the request of the judge of the Court of Land Registration, the governor or sheriff of any province or of the city of Manila, as the case may be shall assign a deputy to attend the sittings of the court in that province or city.

SEC. 18. Costs shall be taxed in contested cases in the Court of Land Registration in the same manner and for the same items of as in Courts of First Instance, where no different provision is made.

ORIGINAL REGISTRATION

SEC. 19. Application for registration of title may be made by the following persons, namely:

First. The person or persons claiming, singly or collectively, to own the legal estate in fee simple.

Second. The person or persons claiming, singly or collectively, to have the power of appointing or disposing of the legal estate in fee simple.

Third. Infants or other persons under disability may make application by their legally appointed guardians, but the person in whose behalf the application is made shall be named as applicant by the guardian.

Fourth. Corporations may make application by any officer duly authorized by vote of the directors.

But the authority given to the foregoing four classes of persons is subject to the following provisos:

That one or more tenants for a term of years shall not be allowed to make application except jointly with those claiming the reversionary interest in the property which makes up the fee simple at common law.

That a mortgagor shall not make application without the consent in writing of the mortgagee.

That a married woman shall not make application without the consent in writing of her husband unless she holds the land as her separate property or has a power to appoint the same in fee simple, or has obtained a decree of the court authorizing her to deal with her real estate as though she were sole and unmarried.

That one or more tenants claiming undivided shares less than a fee simple in the whole land described in the application shall not make application except jointly with the other tenant owning undivided shares, so that the whole fee shall be represented in the action.

But, notwithstanding the foregoing provisos, if the holder of a mortgage, upon the land described in the application does not consent to the making of the application, it may be entered nevertheless and the title registered subject to such mortgage, which may be dealt with or foreclosed as if the land subject to such mortgage had not been registered. But the decree of registration in such case shall state that registration is made subject to such mortgage, describing it, and shall provide that no subsequent certificate shall be issued and no further papers registered relating to such land after a foreclosure of such mortgage.

SEC. 20. The application may be filed with the clerk of the Court of Land Registration, or with the register of deeds of the province or city in which the land or any portion thereof lies. Upon filing his application the applicant shall forthwith cause to be filed with the register of deeds for said city or province a memorandum stating that application for registration has been filed, and the date and place of filing, and a copy of the description of the land contained in the application. This memorandum shall be recorded and indexed by the register with the records of deeds. Each register of deeds shall also keep an index of all applications in his province or city, and, in every case where the application is filed with him, shall transmit the same, with the papers and plans tiled therewith,

and such memorandum when recorded, to the clerk of the Court of Land Registration.

SEC. 21. The application shall be in writing, signed and sworn to by the applicant, or by some person duly authorized in his behalf. All oaths required by this Act may be administered by any officer authorized to administer oaths in the Philippine Islands. If there is more than one applicant, the application shall be signed and sworn to by and in behalf of each. It shall contain a description of the land and shall state whether the applicant is married; and, if married, the name of the wife or husband; and, if unmarried, whether he or she has been married, and, if so, when and how the married relation terminated. If by divorce, when, where, and by what court the divorce was granted. It shall also state the name in full and the address of the applicant, and also the names and addresses of all adjoining owners and occupants, if known; and, if not known, it shall state what search has been made to find them. It may be in form as follows:

UNITED STATES OF AMERICA, PHILIPPINE ISLANDS

To the Honorable Judge of the Court of Land Registration:

I (or we), the undersigned, hereby apply to have the land hereinafter described brought under the operations of the Land Registration Act, and to have my (or our) title therein registered and confirmed. And I (or we) declare: (1) That I am (or we are) the owner (or owners) in fee simple of a certain parcel of land with the buildings (if any; if not strike out the words "with the buildings"), situated in (here insert accurate description). (2) That said land at the last assessment for taxation was assessed, at _____ dollars; and the buildings (if any) at _____ dollars. (3) That I (or we) do not know of any mortgage or incumbrance affecting said land, or that any other person has any estate or interest therein, legal or equitable, in possession, remainder, reversion, or expectancy (if any, add "other than as follows," and set forth each clearly). (4) That I (or we) obtained title (if by deed, state name of grantor, date and place of record, and file the deed or state reason for not filing. If in any other way, state it). (5) That said land

is _____ occupied (if occupied, state name in full and place of residence and post-office address of occupant and the nature of his occupancy. If unoccupied, insert “not”). (6) That the names in full and addresses as far as known to me (or us) of the occupants of all lands adjoining said land are as follows (give street and number wherever possible. If names not known, state whether inquiry has been made, and what inquiry). (7) That the names and addresses so far as known to me (or us) of the owners of all lands adjoining the above land are as follows (same directions as above). (8) That I am (or we are) married. (Follow literally the directions given in the prior portions of this section). (9) That my (or our) full name (or names), residence, and post-office address is (or are) as follows:

Dated this _____ day of _____
in the year nineteen hundred and _____

(Signature)

(Schedule of documents.)

UNITED STATES OF AMERICA, PHILIPPINE ISLANDS

Province of (or city of) _____ (date).

Then personally appeared the above-named _____,
known to me to be the signer (or signers) of the foregoing application,
and made oath that the statements therein, so far as made of his (or
their) own knowledge are true, and so far as made upon information
and belief, that he (or they) believe them to be true, before, me.

Justice of the Peace
(or other officer authorized to administer oaths.)

SEC. 22. If the applicant is not a resident of the Philippine Islands, he shall file with his application a paper appointing an agent residing in the Philippine Islands, giving his name in full,

and his post-office address, and shall therein agree that the service of any legal process in proceedings under or growing out of the application shall be of the same legal effect if served upon the agent as if upon the applicant if within the Philippine islands. If the agent dies or becomes insane, or removes from the Philippine Islands, the applicant shall at once make another appointment; and if he fails to do so, the court may dismiss the application.

SEC. 23. Amendments to the application, including joinder, substitution, or discontinuing as to parties, shall be allowed by the court at any time upon terms that are just and reasonable. But all amendments shall be in writing, signed and sworn to like the original.

SEC. 24. The application may include two or more contiguous parcels of land, or two or more parcels constituting one holding under one and the same title, if within the same province or city. But two or more persons claiming in the same parcels different interests, which, collectively, make up the legal estate in fee simple in each parcel, shall not join in one application for more than one parcel, unless their interests are alike in each and every parcel. The court may at any time order an application to be amended by striking out one or more parcels, or by severance of the application.

SEC. 25. If the application described the land as bounded on a public or private way or road, it shall state whether or not the applicant claims any and what land within the limits of the way or road, and whether the applicant desires to have the line of the way or road determined.

SEC. 26. The applicant shall file with the application a plan of the land, and all original muniments of title within his control mentioned in the schedule of documents, such original muniments to be produced before the examiner or the court at the hearing when required. When an application is dismissed or discontinued, the applicant may, with the consent of the court, withdraw such original muniments of title.

SEC. 27. When an application is made subject to an existing recorded mortgage, the holder of which has consented thereto, or to a recorded lease, or when the registration is to be made subject to such mortgage or lease executed after the time of the application and before the date of the transcription of the decree, the applicant shall, if required by the court, file a certified copy of such mortgage or lease, and shall cause the original, or in the discretion of the court, a certified copy thereof to be presented for registration before the decree of registration is entered, and no registration fee shall be charged for registering such original mortgage or lease or such certified copy.

SEC. 28. The court may by general rule require facts to be stated in the application in addition to those prescribed by this Act, and not inconsistent therewith, and may require the filing of any additional papers.

SEC. 29. After the filing of the application and before registration the land therein described may be dealt with and instruments relating thereto shall be recorded, in the same manner as if no application had been made; but all instruments left for record relating to such land shall be indexed in the usual manner in the registry index and also in the index of applications. As soon as an application is disposed of, the clerk of the Court of Land Registration shall make a memorandum stating the disposition of the case and shall send the same to the register of deeds for the proper province or city, who shall record and index it with the records of deeds and in the index of applications. If the proceedings upon the application end in a decree of registration of title, the land included therein shall, as soon as said decree is transcribed, as hereinafter provided in section forty-one, become registered land, and thereafter no deeds or other instruments relating solely to such land shall be recorded with the records of deeds, but shall be registered in the registration book and filed and indexed with records and documents relating to registered lands.

SEC. 30. Immediately after the filing of the application the court shall enter an order referring it to one of the examiners of titles, who shall search the records and investigate all the facts in

the application, or otherwise brought to his attention, and file in the case a report thereon, concluding with a certificate of his opinion upon the title. The clerk shall give notice to the applicant of the filing of such report. If the opinion of the examiner is adverse to the applicant, he shall be allowed by the court a reasonable time in which to elect to proceed further, or withdraw his application. The election shall be made in writing and filed with the clerk.

SEC. 31. If, in the opinion of the examiner, the applicant has a good title, as alleged, and proper for registration, or if the applicant, after an adverse opinion of the examiner, elects to proceed further, the clerk of the court shall, immediately upon the filing of the examiner's opinion or the applicant's election, as the case may be, cause notice of the filing of the application to be published once in two newspapers, one of which newspapers shall be printed in the English language and one in Spanish, of general circulation in the province or city where any portion of the land lies, or if there be no Spanish or English newspaper of general circulation in the province or city where any portion of the land lies, then it shall be a sufficient compliance with this section if the notice of the filing of the application be published in a daily English newspaper and a daily Spanish newspaper of the city of Manila, having a general circulation. The notice shall be issued by order of the court, attested by the clerk, and shall be in form substantially as follows:

REGISTRATION OF TITLE.

PROVINCE (or city) OF _____

COURT OF LAND REGISTRATION.

To (here insert the names of all persons appearing to have an interest and the adjoining owners so far as known), *and to all whom it may concern:*

Whereas an application has been presented to said court by (name or names, and addresses in full) to register and confirm his (or their) title in the following-described lands (insert description), you are hereby cited to appear at the Court of Land Registration,

to be held at _____, in said Province (or city) of _____, on the _____ day of _____, A. D. nineteen hundred and _____, at _____ o'clock in the forenoon, to show cause, if any you have, why the prayer of said application shall not be granted. And unless you appear at such court, at the time and place aforesaid, your default will be recorded and the said application will be taken as confessed, and you will be forever barred from contesting said application or any decree entered thereon.

Witness: _____, judge of said court, this _____ day of _____, in the year nineteen hundred and _____.

Attest:

Clerk of Said Court.

SEC. 32. The return of said notice shall not be less than twenty nor more than sixty days from date of issue. The court shall also, within seven days after publication of said notice in the newspapers, as hereinbefore provided, cause a copy of the publication in Spanish to be mailed by the clerk to every person named therein whose address is known. The court shall also cause a duly attested copy of the notice to be posted, in the Spanish language, in a conspicuous place on each parcel of land included in the application, and also in a conspicuous place upon the chief municipal building of the pueblo in which the land or a portion thereof is situate, by the governor or sheriff of the province or city, as the case may be, or by his deputy, fourteen days at least before the return day thereof, and his return shall be conclusive proof of such service. If the applicant requests to have the line of a public way determined, the court shall order a notice to be given by the clerk by mailing a registered letter to the president of the municipal council, or to the Municipal Board, as the case may be, of the municipality or city in which the land lies. If the land borders on a river, navigable stream, or shore, or on an arm of the sea where a river or harbor line has been established, or on a lake, or if it otherwise appears from the application or the proceedings that the Insular Government may have a claim adverse

to that of the applicant, notice shall be given in the same manner to the Attorney-General. The court may also cause other or further notice of the application to be given in such manner and to such persons as it may deem proper. The court shall, so far as it deems it possible, require proof of actual notice to all adjoining owners and to all persons who appear to have interest in or claim to the land included in the application. Notice to such persons by mail shall be by registered letter if practicable. The certificate of the clerk that he has served the notice as directed by the court, by publishing or mailing, shall be filed in the case before the return day, and shall be conclusive proof of such service.

SEC. 33. Upon the return day of the notice, and proof of service of all orders of notice issued, the court may appoint a disinterested person to act as guardian ad litem for minors and persons not in being, unascertained, unknown, or out of the Philippine Islands, who may have an interest. The compensation of the guardian or agent shall be determined by the court and paid as part of the expenses of the court.

SEC. 34. Any person claiming an interest, whether named in the notice or not, may appear and file an answer on or before the return day, or within such further time as may be allowed by the court. The answer shall state all the objections to the application, and shall set forth the interest claimed by the party filing the same, and shall be signed and sworn to by him or by some person in his behalf.

SEC. 35. If no person appears and answers within the time allowed, the court may at once upon motion of the applicant, no reason to the contrary appearing, order a general default to be recorded and the application to be taken for confessed. By the description in the notice, "To all whom it may concern," all the world are made parties defendant and shall be concluded by the default and order. After such default and order the court may enter a decree confirming the title of the applicant and ordering registration of the same. The court shall not be bound by the report of the examiner of titles, but may require other or further proof.

SEC. 36. If in any case an appearance is entered and answer filed, the case shall be set down for hearing on motion of either party, but a default and order shall be entered against all persons who do not appear and answer, in the manner provided in the preceding section. The court may hear the parties and their evidence or may refer the case or any part thereof to one of the examiners of title, as referee, to hear the parties and their evidence, and make report thereon to the court. The trial before the referee may occur at any convenient place within the province or city, and the time and place of trial shall be fixed by the referee and reasonable notice thereof shall be given by him to the parties. The court shall render judgment in accordance with the report as though the facts had been found by the judge himself, unless the court shall for cause shown set the report aside or order it to be recommitted to the referee for further finding: *Provided, nevertheless,* That the court may in its discretion accept the report in part or set it aside in part. The court may in any case before decree require a survey to be made for the purpose of determining boundaries, and may order durable bounds to be set, and referred to in the application, by amendment. The expense of survey and bounds shall be taxed in the costs of the case and may be apportioned the parties as justice may require. If no persons appear to oppose the application, such expense shall be borne by the applicant. If two or more applications claim the same land, or part of the same land, the court may order the hearings upon all such applications to be consolidated, if such consolidation is in the interest of economy of time and expense.

SEC. 37. If in any case the court finds that the applicant has not proper title for registration, a decree shall be entered dismissing the application, and such decree may be ordered to be without prejudice. The applicant may withdraw his application at any time before final decree, upon terms to be fixed by the court.

SEC. 38. If the court after hearing finds that the applicant has title as stated in his application, and proper for registration, a decree of confirmation and registration shall be entered. Every decree of registration shall bind the land, and quiet title thereto, subject only to the exceptions stated in the following section. It shall be conclusive upon and against all persons, including the Insular

Government and all the branches thereof, whether mentioned by name in the application, notice, or citation, or included in the general description "To all whom it may concern." Such decree shall not be opened by reason of the absence, infancy, or other disability of any person affected thereby, nor by any proceeding in any court for reversing judgments or decrees; subject, however, to the right of any person deprived of land or of any estate or interest therein by decree of registration obtained by fraud to file in the Court of Land Registration a petition for review within one year after entry of the decree, provided no innocent purchaser for value has acquired an interest. If there is any such purchaser, the decree of registration shall not be opened, but shall remain in full force and effect forever, subject only to the right of appeal hereinbefore provided. But any person aggrieved by such decree in any case may pursue his remedy by action for damages against the applicant or any other person for fraud in procuring the decree. Whenever the phrase "innocent purchaser for value" or an equivalent phrase occurs in this Act, it shall be deemed to include an innocent lessee, mortgagee, or other encumbrancer for value.

SEC. 39. Every applicant receiving a certificate of title in pursuance of a decree of registration, and every subsequent purchaser of registered land who takes a certificate of title for value in good faith, shall hold the same free of all incumbrance except those noted on said certificate and any of the following incumbrances which may be subsisting, namely:

First. Liens, claims, or rights arising or existing under the laws or Constitution of the United States or of the Philippine Islands which the statutes of the Philippine Islands can not require to appear of record in the registry.

Second. Taxes within two years after the same have become due and payable.

Third. Any public highway, way, or private way established by law, where the certificate of title does not state that the boundaries of such highway or way have been determined. But if there are easements or other rights appurtenant to a parcel of registered land

which for any reason have failed to be registered, such casements or rights shall remain so appurtenant notwithstanding such failure, and shall be held to pass with the land until cut off or extinguished by the registration of the servient estate, or in any other manner.

SEC. 40. Every decree of registration shall bear the day of the year, hour, and minute of its entry, and shall be signed by the clerk. It shall state whether the owner is married or unmarried, and if married, the name of the husband or wife. If the owner is under disability, it shall state the nature of the disability, and if a minor, shall state his age. It shall contain a description of the land as finally determined by the court, and shall set forth the estate of the owner, and also, in such manner as to show their relative priority, all particular estates, mortgages, easements, liens, attachments, and other incumbrances, including rights of husband or wife, if any, to which the land or owner's estate is subject, and may contain any other matter properly to be determined in pursuance of this Act. The decree shall be stated in a convenient form for transcription upon the certificates of title hereinafter mentioned.

SEC. 41. Immediately upon the entry of the decree of registration the clerk shall send a certified copy thereof, under the seal of the court, to the register of deeds for the province, or provinces, or city in which the land lies, and the register of deeds shall transcribe the decree in a book to be called the "Registration Book," in which a leaf, or leaves, in consecutive order, shall be devoted exclusively to each title. The entry made by the register of deeds in this book in each case shall be the original certificate of title, and shall be signed by him and sealed with the seal of the court. All certificates of title shall be numbered consecutively, beginning with number one. The register of deeds shall in each case make an exact duplicate of the original certificate, including the seal, but putting on it the words "Owner's duplicate certificate," and deliver the same to the owner or to his attorney duly authorized. In case of a variance between the owner's duplicate certificate and the original certificate the original shall prevail. The certified copy of the decree of registration shall be filed and numbered by the register of deeds with a reference noted on it to the place of record of the original certificate of title: *Provided, however,* That when an application

includes land lying in more than one province, or one province and the city of Manila, the court shall cause the part lying in each province or in the city of Manila to be described separately by metes and bounds in the decree of registration, and the clerk shall send to the register of deeds for each province, or the city of Manila, as the case may be, a copy of the decree containing a description of the land within that province or city, and the register of deeds shall register the same and issue an owner's duplicate therefor, and thereafter for all matters pertaining to registration under this Act the portion in each province or city shall be treated as a separate parcel of land.

SEC. 42. The certificate first registered in pursuance of the decree of registration in regard to any parcel of land shall be entitled in the registration book, "Original certificate of title, entered pursuant to decree of the Court of Land Registration, dated at" (stating time and place of entry of decree and the number of case). This certificate shall take effect upon the date of the transcription of the decree. Subsequent certificates relating to the same land shall be in like form, but shall be entitled "Transfer from number" (the number of the next previous certificate relating to the same land), and also the words "Originally registered" (date, volume, and page of registration).

SEC. 43. Where two or more person are registered owners, as tenants in common, or otherwise, one owner's duplicate certificate may be issued for the whole land, or a separate duplicate may be issued to each for his undivided share.

SEC. 44. A registered owner holding one duplicate certificate, for several distinct parcels of land may surrender it with the approval of the court, and take out several certificates for portions thereof. So a registered owner holding separate certificates for several distinct parcels may surrender them and with like approval, take out a single duplicate certificate for the whole land, or several certificates for the different portions thereof. Any owner subdividing a tract of registered land into lots shall file with the clerk a plan of such land, when applying for a new certificate or certificates, and the court, before issuing the same, shall cause the plan to be verified

and require that all boundaries, streets, and passageways shall be distinctly and accurately delineated thereon.

SEC. 45. The obtaining of a decree of registration and the entry of a certificate of title shall be regarded as an agreement running with the land, and binding upon the applicant and all successors in title that the land shall be and always remain registered land and subject to the provisions of this act and all acts amendatory thereof.

SEC. 46. No title to registered land in derogation to that of the registered owner shall be acquired by prescription or adverse possession.

SEC. 47. The original certificate in the registration book, any copy thereof duly certified under the signature of the clerk, or of the register of deeds of the province or city where the land is situate, and the seal of the court, and also the owner's duplicate certificate, shall be received as evidence in all the courts of the Philippine Islands and shall be conclusive as to all matters contained therein except so far as otherwise provided in this Act.

SEC. 48. Every certificate of title shall set forth the names of all the persons interested in the estate in fee simple in the whole land and duplicate certificates may be issued to each person, but the clerk or register of deeds, as the case may be, shall note in the registration book, and upon each certificate, to whom such duplicate was issued.

SEC. 49. The clerk, under direction of the court, shall make and keep indexes of all applications, of all decrees of registration, and shall also index and classify all papers and instruments filed in his office relating to applications and to registered titles. He shall also, under direction of the court, cause forms of index and registration and entry books to be prepared for use of the registers of deeds. The court shall prepare and adopt convenient forms of certificates of title, and shall also adopt general forms of memoranda to be used by registers of deeds in registering common forms of deeds of conveyance and other instruments, and to express briefly their effect.

VOLUNTARY DEALING WITH LAND AFTER ORIGINAL REGISTRATION

SEC. 50. An owner of registered land may convey, mortgage, lease, charge, or otherwise deal with the same as fully as if it had not been registered. He may use forms of deeds, mortgages, leases, or other voluntary instruments like those now in use and sufficient in law for the purpose intended. But no deed, mortgage, lease, or other voluntary instrument, except a will, purporting to convey or affect registered land, shall take effect as a conveyance or bind the land, but shall operate only as a contract between the parties and as evidence of authority to the clerk or register of deeds to make registration. The act of registration shall be the operative act to convey and affect the land, and in all cases under this Act the registration shall be made in the office of register of deeds for the province or provinces or city where the land lies.

SEC. 51. Every conveyance, mortgage, lease, lien, attachment, order, decree, instrument, or entry affecting registered land which would under existing laws, if recorded, filed, or entered in the office of the register of deeds, affect the real estate to which it relates shall, if registered, filed, or entered in the office of the register of deeds in the province or city where the real estate to which such instrument relates lies, be notice to all persons from the time of such registering, filing, or entering.

SEC. 52. No new certificate shall be entered or issued upon any transfer of registered land which does not divest the land in fee simple from the owner or from some one of the registered owners. All interests in registered land less than an estate in fee simple shall be registered by filing with the register of deeds the instrument creating or transferring or claiming such interest and by a brief memorandum thereof made by the register of deeds upon the certificate of title, signed by him. A similar memorandum shall also be made on the owner's duplicate. The cancellation or extinguishment of such interests shall be registered in the same manner.

SEC. 53. Where the register of deeds is in doubt upon any question of law, or where any party in interest does not agree as to the proper memorandum to be made in pursuance of any deed, mortgage, or other voluntary instrument presented for registration, the question shall be referred to the court for decision, either on the certificate of the register of deeds stating the question upon which he is in doubt or upon the suggestion in writing of any party in interest; and the court, after notice to all parties and hearing, shall enter an order prescribing the form of memorandum to the register of deeds to make registration in accordance therewith.

SEC. 54. Every deed or other voluntary instrument presented for registration shall contain or have indorsed upon it the full name, place of residence, and post-office address of the grantee or other person acquiring or claiming such interest under such instrument, and every such instrument shall also state whether the grantee is married or unmarried, and if married, give the name in full of the husband or wife. Any change in the residence or post-office address of such person shall be indorsed by the register of deeds on the original instrument, on receiving a sworn statement of such change. All names and addresses shall also be entered upon all certificates. Notices and process in relation to registered land in pursuance of this Act may be served upon any person in interest by mailing the same to the address so given, and shall be binding whether such person resides within or without the Philippine Islands, but the court may, in its discretion, require further or other notice to be given in any case, if in its opinion the interests of justice so require.

SEC. 55. No new certificate of title shall be entered, no memorandum shall be made upon any certificate of title by the clerk, or by any register of deeds, in pursuance of any deed or other voluntary instrument, unless the owner's duplicate certificate is presented for such indorsement, except in cases expressly provided for in this Act, or upon the order of the court, for cause shown; and whenever such order is made, a memorandum thereof shall be entered upon the new certificate of title and upon the owner's duplicate.

The production of the owners duplicate certificate whenever any voluntary instrument is presented for registration shall be conclusive authority from the registered owner to the clerk or register of deeds to enter a new certificate or to make a memorandum of registration in accordance with such instrument, and the new certificate or memorandum shall be binding upon the registered owner and upon all persons claiming under him in favor of every purchaser for value and in good faith: *Provided, however,* That in all cases of registration procured by fraud the owner may pursue all his legal and equitable remedies against the parties to such fraud, without prejudice, however, to the rights of any innocent holder for value of a certificate of title: *And provided further,* That after the transcription of the decree of registration on the original application, any subsequent registration under this Act procured by the presentation of a forged duplicate certificate, or of a forged deed or other instrument, shall be null and void. In case of the loss or theft of an owner's duplicate certificate, notice shall be sent by the owner or by some one in his behalf to the register of deeds of the province in which the land lies as soon as the loss or theft is discovered.

SEC. 56. Each register of deeds shall keep an entry book in which he shall enter in the order of their reception all deeds and other voluntary instruments, and all copies of writs or other process filed with him relating to registered land. He shall note in such book the year, month, day, hour, and minute of reception of all instruments, in the order in which they are received. They shall be regarded as registered from the time so noted, and the memorandum of each instrument when made on the certificate of title to which it refers shall bear the same date.

Every deed or other instrument, whether voluntary or involuntary, so filed with the clerk or register of deeds shall be numbered and indexed, and indorsed with a reference to the proper certificate of title. All records and papers relating to registered land in the office of the clerk or of any register of deeds shall be open to the public, subject to such reasonable regulations as the clerk, under the direction of the court, may make.

Duplicates of all deeds and voluntary instruments filed and registered may be presented with the originals, and shall be attested and sealed by the clerk or the register of deeds, and indorsed with the file number and other memoranda on the originals, and may be taken away by the person presenting the same.

Certified copies of all instruments filed and registered may also be obtained at any time, upon the payment of the fees, of the register of deeds.

CONVEYANCE IN FEE

SEC. 57. An owner desiring to convey in fee his registered land or any portion thereof shall execute a deed of conveyance, which the grantor or grantee may present to the register of deeds in the province where the land lies. The grantor's duplicate certificate shall be produced and presented at the same time. The register of deeds shall thereupon, in accordance with the rules and instructions of the court, make out in the registration book a new certificate of title to the grantee, and shall prepare and deliver to him an owner's duplicate certificate. The register of deeds shall note upon the original and duplicate certificates the date of transfer, the volume and page of the registration book where the new certificate is registered, and a reference by number to the last prior certificate. The grantor's duplicate certificate shall be surrendered, and the word "canceled" stamped upon it. The original certificate shall also be stamped "canceled." The deed of conveyance shall be filed and indorsed with the number and place of registration of the certificate of title of the land conveyed.

SEC. 58. When a deed in fee is for a part only of the land described in a certificate of title, the register of deeds shall also enter a new certificate and issue an owner's duplicate to the grantor for the part of the land not included in the deed. In every case of transfer the new certificate or certificates shall include all the land described in the original and surrendered certificates: *Provided, however,* That no new certificate to a grantee of a part only of the land shall be invalid by reason of the failure of the register of deeds to enter a new certificate to the grantor for the remaining un conveyed portion:

And provided further, That in case the land described in a certificate of title is divided into lots, designated by numbers or letters, with measurements of all the bounds, and a plan of said land has been filed with the clerk and verified pursuant to section forty-four of this Act, and a certified copy thereof is recorded in the registration book with the original certificate, when the original owner makes a deed of transfer in fee of one or more of such lots, the register of deeds may, instead of canceling such certificate and entering a new certificate to the grantor for the part of the land not included in the deed of transfer, enter on the original certificate and on the owner's duplicate certificate a memorandum of such deed of transfer, with a reference to the lot or lots thereby conveyed as designated on such plan, and that the certificate is canceled as to such lot or lots; and every certificate with such memorandum shall be effectual for the purpose of showing the grantor's title to the remainder of the land not conveyed as if the old certificate had been canceled and a new certificate of such land had been entered; and such process may be repeated so long as there is convenient space upon the original certificate and the owner's duplicate certificate for making such memorandum of sale of lots.

SEC. 59. If at the time of any transfer there appear upon the registration book incumbrances or claims adverse to the title of the registered owner, they shall be stated in the new certificate or certificates, except so far as they may be simultaneously released or discharged.

MORTGAGES.

SEC. 60. The owner of registered land may mortgage the same by executing a mortgage deed, and such deed may be assigned, extended, discharged, released in whole or in part, or otherwise dealt with by the mortgagee by any form of deed or instrument sufficient in law for the purpose. But such mortgage deed, and all instruments assigning, extending, discharging, and otherwise dealing with the mortgage, shall be registered, and shall take effect upon the title only from the time of registration.

SEC. 61. Registration of a mortgage shall be made in the manner following, to wit: The owner's duplicate certificate shall be presented to the register of deeds with the mortgage deed, and he shall enter upon the original certificate of title and also upon the owner's duplicate certificate a memorandum of the purport of the mortgage deed, the time of filing and the file number of the deed, and shall sign the memorandum. He shall also note upon the mortgage deed the time of filing and a reference to the volume and page of the registration book where it is registered.

The register of deeds shall also, at the request of the mortgagee, make out and deliver to him a duplicate of the certificate of title, like the owner's duplicate, except that the words "mortgagee's duplicate" shall be stamped upon it in large letters diagonally across its face. A memorandum of the issue of the mortgagee's duplicate shall be made upon the original certificate of title.

SEC. 62. Whenever a mortgage upon which a mortgagee's duplicate has been issued is assigned, extended, or otherwise dealt with, the mortgagee's duplicate shall be presented with the instrument assigning, extending, or otherwise dealing with the mortgage, and a memorandum of the instrument shall be made upon the mortgagee's duplicate certificate. When the mortgage is discharged or otherwise extinguished the mortgagee's duplicate certificate shall be surrendered and stamped "canceled." The production of the mortgagee's duplicate certificate shall be conclusive authority to register the instrument therewith presented, subject, however, to all the provisions and exceptions contained in section fifty-five of this Act so far as the same are applicable.

A mortgage on registered land may also be discharged, by the mortgagee in person, on the registration book, by indorsing upon the original certificate of title and upon the owner's duplicate certificate a memorandum stating that the mortgage has been satisfied and is discharged, together with the date of such entry, signed by the mortgagee, and such discharge shall be attested by the register of deeds, the mortgagee's duplicate certificate being at the same time surrendered and stamped "canceled."

SEC. 63. Mortgages of registered land may be foreclosed in the manner provided in the Code of Procedure in Civil Actions and Special Proceedings. A certified copy of the final decree of the court confirming the sale under foreclosure proceedings may be filed with the register of deeds after the time for appealing therefrom has expired, and the purchaser shall thereupon be entitled to the entry of a new certificate and to the issuance of a new owner's duplicate certificate, a memorandum thereof being at the same time likewise indorsed upon the mortgagor's original certificate and the mortgagee's duplicate, if any, being first delivered up and canceled: *Provided, however,* That nothing contained in this Act shall be construed to prevent the mortgagor or other person interested from directly impeaching by any proper legal proceedings any foreclosure proceedings affecting registered land, prior to the entry of a new certificate of title.

LEASES

SEC. 64. Leases of registered land shall be registered in the manner provided in section fifty-two of this Act, in lieu of recording. A lessee's duplicate certificate may be issued to the lessee upon his request, subject to the provisions hereinbefore made in regard to a mortgagee's duplicate certificate, so far as the same are applicable.

TRUSTS

SEC. 65. Whenever a deed or other instrument is filed for the purpose of transferring registered land in trust, or upon any equitable condition or limitation expressed therein, or for the purpose of creating or declaring a trust or other equitable interest in such land without transfer, the particulars of the trust, condition, limitation, or other equitable interest shall not be entered on the certificate; but a memorandum thereof shall be entered by the words "in trust," or "upon condition," or other apt words, and by a reference by number to the instrument authorizing or creating the same. A similar memorandum shall be made upon the duplicate certificate. The register of deeds shall note upon the original instrument creating or declaring the trust or other equitable interest a reference by number to the certificate of title to which it

relates, and to the volume and page in the registration book where it is registered. If the instrument creating or declaring a trust or other equitable interest is already recorded in the land register of the Philippine Islands, a certified copy may be filed by the register of deeds and registered.

SEC. 66. If the instrument creating or declaring a trust or other equitable interest contains an express power to sell, mortgage, or deal with the land in any manner, such power shall be stated in the certificate of title by the words “with power to sell,” or “with power to mortgage,” and by apt words of description in case of other powers. No instrument transferring, mortgaging, or in any way dealing with registered land held in trust shall be registered, unless the power thereto enabling is expressly conferred in the instrument of trust, or unless the decree of a court of competent jurisdiction has construed the instrument in favor of such power, in which case a certified copy of such decree may be filed with the register of deeds, and he shall make registration in accordance therewith.

SEC. 67. When a new trustee of registered land is appointed by a court of competent jurisdiction, a new certificate shall be entered to him upon presentation to the register of deeds of a certified copy of the decree and the surrender and cancellation of the duplicate certificate.

SEC. 68. Whoever claims an interest in registered land by reason of any implied or constructive trust shall file for registration a statement thereof with the register of deeds. The statement shall contain a description of the land, and a reference to the number of the certificate of title and the volume and page of the registration book where it is entered. Such claim shall not affect the title of a purchaser for value and in good faith before its registration.

SEC. 69. Any trustee shall have authority to file an application or registration of any land held in trust by him, unless expressly prohibited, by the instrument creating the trust.

LEGAL INCIDENTS OF REGISTERED LAND.

SEC. 70. Registered land, and ownership therein, shall in all respects be subject to the same burdens and incidents attached by law to unregistered land. Nothing contained in this Act shall in any way be construed to relieve registered land or the owners thereof from any rights incident to the relation of husband and wife, or from liability to attachment on mesne process or levy on execution, or from liability to any lien of any description established by law on land and the buildings thereon, or the interest of the owner in such land or buildings, or to change the laws of descent, or the rights of partition between coparceners, joint tenants and other cotenants, or the right to take the same by eminent domain, or to relieve such land from liability to be appropriated in any lawful manner for the payment of debts, or to change or affect in any other way any other rights or liabilities created by law and applicable to unregistered land, except as otherwise expressly provided in this Act or in the amendments hereof.

ATTACHMENTS AND OTHER LIENS.

SEC. 71. In every case where a writing of any description or a copy of any writ is required by law to be filed or recorded in the registry of deeds in order to create or preserve any lien, right, or attachment upon unregistered land, such writing or copy when intended to affect registered land, in lieu of recording, shall be filed and registered in the office of the register of deeds for the province in which the land lies, and, in addition to any particulars required in such papers for recording with records of deeds, shall also contain a reference to the number of the certificate of title of the land to be affected, and the volume and page in the registration book where the certificate is registered, and also, if the attachment, right, or lien is not claimed on all the land in any certificate of title, a description sufficiently accurate for identification, of the land intended to be affected.

SEC. 72. In every case where an attachment or other lien or adverse claim of any description is registered, and the duplicate certificate is not presented at the time of registration to the register

of deeds, he shall within twenty-four hours thereafter send notice by mail to the registered owner, stating that such paper has been registered, and requesting him to send or produce the duplicate certificate in order that a memorandum of the attachment or other lien or adverse claim shall be made thereon. If the owner neglects or refuses to comply within a reasonable time, the register of deeds shall suggest the fact to the court, and the court, after notice, shall enter an order to the owner to produce his certificate at a time and place to be named therein, and may enforce the order by suitable process.

SEC. 73. Attachment on mesne process and liens of every description upon registered land shall be continued, reduced, discharged, and dissolved by any method sufficient in law to continue, reduce, discharge, or dissolve like liens on unregistered land. All certificates or other instruments which are permitted or required by law to be recorded in the registry of deeds to give effect to the continuance, reduction, discharge, or dissolution of attachments or other liens on unregistered lands, or to give notice of such continuance, reduction, discharge, or dissolution, shall in the case of like liens on registered land be filed with the register of deeds and registered in the registration book, in lieu of recording.

SEC. 74. All the provisions of law now in force relating to attachments of real estate and leasehold estates on mesne process shall apply to registered land, except that the duties required to be performed by the present recording officer shall be performed by the register of deeds for the province where the land lies, who, in lieu of recording, shall register the facts heretofore required to be recorded, and for that purpose shall keep suitable books.

SEC. 75. Name and address of the plaintiff's lawyer shall in all cases be indorsed on the writ or process where an attachment is made, and he shall be deemed to be the attorney of the plaintiff until written notice that he has ceased to be such shall be filed for registration by the plaintiff.

SEC. 76. Whenever an attachment on mesne process is continued, reduced, dissolved, or otherwise affected by an order,

decision, or judgment of the court in which the action or proceeding in which said attachment was made is pending, or by the order of any judge or court having jurisdiction thereof, a certificate of the entry of, such order, decision, or judgment from the clerk of the court or judge by which such order, decision, or judgment has been rendered and under the seal of the court or judge, shall be entitled to be registered on presentation to the register of deeds.

SEC. 77. A lien of any description on registered land shall be enforced in the same manner as like liens upon unregistered land. Whenever registered land is sold on execution, or taken or sold for taxes or for any assessment, or to enforce a lien of any character, or for any costs and charges incident to such liens, any execution or copy of execution, any officer's return, or any deed, demand, certificate, or affidavit, or other instrument made in the course of proceedings to enforce such liens and required by law to be recorded in the registry of deeds in the case of unregistered land, shall be filed with the register of deeds for the province where the land lies and registered in the registration book, and a memorandum made upon the proper certificate of title, in each case, as an adverse claim or incumbrance.

SEC. 78. Upon the expiration of the time, if any, allowed by law for redemption after registered land has been sold on any execution, or taken or sold for the enforcement of any lien of any description, the person claiming under the execution or under any deed or other instrument made in the course of proceedings to levy such execution or enforce any lien, may petition the court for the entry of a new certificate to him, and the application may be granted: *Provided, however,* That every new certificate entered under this section shall contain a memorandum of the nature of the proceeding on which it is based: *Provided further,* That at any time prior to the entry of a new certificate the registered owner may pursue all his lawful remedies to impeach or annul proceedings under executions or to enforce liens of any description.

PENDING SUITS, JUDGMENTS, DECREES, AND
PARTITIONS.

SEC. 79. No action to recover possession of real estate, or to quiet the title thereto, or to remove clouds upon the title thereof, or for partition or other proceeding of any kind in court affecting the title to real estate or the use and occupation thereof or the buildings thereon, and no judgment or decree, and no proceeding to vacate or reverse any judgment or decree, shall have any effect upon registered land as against persons other than the parties thereto, unless a memorandum stating the institution of such action or proceeding and the court wherein the same is pending, and the date of the institution thereof, containing also a reference to the number of the certificate of title of the land affected and the volume and page of the registration book where it is entered, shall be filed and registered. This section shall not apply to attachments, levies of execution, or to proceedings for the probate of wills, or for administration of the estates of deceased persons in the Court of First Instance: *Provided, however,* That in case notice of the pendency of the action has been duly registered it shall be sufficient to register the judgment or decree in such action within sixty days after the rendition thereof.

SEC. 80. At any time after final judgment or decree in favor of the defendant, or other disposition of the action such as to terminate finally all rights of the plaintiff in and to the land and buildings involved, in any case in which a memorandum has been registered as provided in the preceding section, a certificate of the clerk of the court in which the action or proceeding was pending stating the manner of disposal thereof shall be entitled to registration.

SEC. 81. Whenever in any action to recover the possession or ownership of real estate or any interest therein affecting registered land judgment is entered for the plaintiff, such judgment shall be entitled to registration on presentation of a certificate of the entry thereof from the clerk of the court where the action is pending to the register of deeds for the province where the land lies, who shall enter a memorandum upon the certificate of title of the land to which such judgment relates. If the judgment does not apply to all the land described in the certificate of title, the certificate of the clerk of the

court where the action is pending and the memorandum entered by the register of deeds shall contain a description of the land affected by the judgment.

SEC. 82. When in any action to recover the possession or title of real estate or an interest therein execution has been issued directing the officer to place the plaintiff in possession of the land affected by the judgment on which the execution was issued, the officer shall cause an attested copy of the execution, with a return of his doings thereon, to be filed and registered within three months after the service, and before the return of the execution into the office of the clerk whence it issued, and the plaintiff, in case the judgment was that he was entitled to an estate in fee simple in the demanded premises or in any part thereof, and for which execution issued, shall thereupon be entitled to the entry of a new certificate of title and to a cancellation of the certificate and owner's duplicate certificate of the former registered owner. If the former registered owner neglects or refuses within a reasonable time after request to produce his duplicate certificate in order that the same may be canceled, the court on application and after notice shall enter an order to the owner to produce his certificate at the time and place named therein, and may enforce the order by suitable process.

SEC. 83. Every court passing a judgment or decree in favor of the plaintiff affecting registered land shall, upon application of the plaintiff, order any parties before it to execute for registration any deed or instrument necessary to give effect to its judgment or decree, and may require the registered owner to deliver his duplicate certificate to the plaintiff to be canceled or to have a memorandum entered upon it by the register of deeds. In case the person required to execute any deed or other instrument necessary to give effect to the judgment or decree is absent from the Philippine Islands, or is a minor, or insane, or for any reason not amenable to the process of the court, the court passing the judgment or decree may appoint some suitable person a trustee to execute such instrument, and the same when executed shall be registered and shall have full force and effect to bind the land to be affected thereby.

SEC. 84. In all proceedings for partition of registered land, after the entry of the final judgment or decree of partition and the filing of the report of the committee or commissioners and final judgment thereon, a copy of the final judgment or decree, certified by the clerk of the court rendering the same, shall be filed and registered; and thereupon, in case the land is set off to the owners in severalty, any owner shall be entitled to have his certificate entered to the share set off to him in severalty, and to receive an owner's duplicate thereof. In case the land is ordered by the court to be sold, the purchaser or his assigns shall be entitled to have a certificate of title entered to him or to them on presenting the deed of the commissioners or committee for registration. In case the land is ordered by the court rendering the judgment to be set off in entirety to one of the parties upon payment to the other parties to the action, the party to whom the land is thus ordered to be set off shall be entitled to have a certificate of title entered to him on presenting a copy of the judgment or decree certified by the clerk of the court rendering the same: *Provided, however,* That any new certificate entered in pursuance of partition proceedings, whether by way of set-off or of assignment or of sale, shall contain a reference to the final judgment or decree of partition and shall be conclusive as to the title to the same extent against the same person as such judgment or decree is made conclusive by the laws applicable thereto: *And provided also,* That any person holding such certificates of title or transfer thereof shall have the right to petition the court at any time to cancel the memorandum relating to such judgment or decree, and the court, after notice and hearing, may grant the application. Such certificate shall thereafter be conclusive in the same manner and in the same extent as other certificates of title.

SEC. 85. When a certified copy of a judgment or decree making final partition of land or buildings is presented for registration, if a mortgage or lease affecting a specific portion or an undivided share, of the premises had previously been registered, the mortgagee, or tenant claiming under the mortgagor or lessor, shall cause the mortgage or lease and any duplicate certificate of title issued to the mortgagee or lessee to be again presented for registration, and; the register of deeds shall indorse on each the memorandum of such partition, with a description of the land set off in severalty on which

such mortgage or lease remains in force. Such mortgagee or tenant shall not be entitled to receive his own duplicate certificate of title until such mortgage or lease has been so presented for registration.

BANKRUPTCY, INSOLVENCY, AND ANALOGOUS PROCEEDINGS.

SEC. 86. Whenever proceedings in bankruptcy or insolvency, or analogous proceedings, are instituted against a debtor who is an owner of registered land, it shall be the duty of the officer serving the notice of the institution of such proceedings on the debtor to file a copy thereof in the registry of deeds for the province wherein the land of the debtor lies. The assignee or trustee appointed by the court having jurisdiction thereof in such proceedings shall be entitled to the entry of a new certificate of registered land of the debtor upon presenting and filing a certified copy of the order appointing him such assignee or trustee, with the debtor's duplicate certificate of title; the new certificate shall state that it is entered to him as assignee or trustee in insolvency or bankruptcy or other proceedings, as the case may be.

SEC. 87. Whenever proceedings of the character named in the preceding section against a registered owner, of which notice has been registered, are vacated by decree or judgment, a certified copy of the decree or judgment may be filed and registered. If a new certificate has been entered to the assignee or trustee as registered owner, the debtor shall be entitled to the entry of a new certificate to him, and the certificate of the assignee or trustee shall be surrendered.

EMINENT DOMAIN.

SEC. 88. Whenever any land of a registered owner, or any right or interest therein, is taken by eminent domain, the Government or municipality or corporation or other authority exercising such right shall file for registration in the proper province a description of the registered land so taken, giving the name of each owner thereof, referring by number and place of registration in the registration book to each certificate of title, and stating what, amount or interest

in the land is taken, and for what purpose. A memorandum of the right or interest taken shall be made on each certificate of title by the register of deeds, and where the fee simple is taken a new certificate shall be entered to the owner for the land remaining to him after such taking, and a new certificate shall be entered to the Government, municipality, corporation, or other authority exercising such right for the land so taken. All fees on account of any memorandum of registration or entry of new certificates shall be paid by the authority taking the land.

TRANSMISSION BY DESCENT AND DEVISE.

SEC. 89. Lands and any estate or interest therein registered under this Act shall, upon the death of the owner, go to the executor or administrator of the deceased in like manner as personal estate, whether the owner dies testate or intestate, and shall be subject to the same rules of administration as if the same were personalty, except as otherwise provided in this Act, and except that the rule of division shall be the same as in the descent of real property, or as shall be provided by will.

SEC. 90. Before the executor or administrator of a deceased owner of registered land or any estate or interest therein shall deal with the same, he shall file in the office of the register of deeds a certified copy of his letters of administration, or if there is a will, a certified copy of the same and of the letters testamentary, or of administration, with the will annexed, as the case may be, and shall produce the duplicate certificate of title, and thereupon the register of deeds shall enter upon the certificate and the duplicate certificate a memorandum thereof with a reference to the letters or will and letters by their file number, and the date of filing the same.

SEC. 91. Except in case of a will devising the land to an executor to his own use or upon some trust or giving to the executor power to sell, no sale or transfer of registered land shall be made by an executor or by an administrator in the course of administration for the payment of debts or for any other purpose, except in pursuance of an order of a court of competent jurisdiction obtained as provided by law.

SEC. 92. But after a memorandum of the will, letters testamentary, or letters of administration have been entered upon the register as hereinbefore provided, the executor or administrator may deal with mortgages, leases, and other personal interests in or upon registered land as if he were the registered owner thereof.

SEC. 93. Where it appears by the will, a certified copy of which with letters testamentary is filed as provided in this Act, that registered land is devised to the executor to his own use or upon some trust, the executor may have the land transferred to himself upon the register in like manner and subject to like terms and conditions and to like rights as in the case of a transfer pursuant to deed filed in the office of the register of deeds.

SEC. 94. When the will of a deceased owner of registered land, or any estate or interest therein, empowers the executor to sell, convey, encumber, charge, or otherwise deal with the land, it shall not be necessary for such executor to be registered as the owner, but a certified copy of the will and letters testamentary being filed as provided in this Act, such executor may sell, convey, encumber, charge, or otherwise deal with the land pursuant to the power in like manner as if he were the registered owner, subject to the like conditions as to the trust, limitations, and conditions expressed in the will as in case of trusts, limitations, and conditions expressed in a deed.

SEC. 95. Before making distribution of undeviseed registered land, the executor or administrator shall file in the office of the register of deeds a certified copy of the final decree of the court having jurisdiction of the estate, which shall be conclusive evidence in favor of all persons thereafter dealing with the land that the persons therein named as the only heirs at law of the deceased owner are such heirs.

SEC. 96. Whenever the court having jurisdiction of the settlement of an estate shall, for the purpose of distribution thereof or for other purposes provided by law, order registered land or any interest or estate therein to be sold by the executor or administrator, upon the filing of a certified copy of the order of sale and the deeds

executed in pursuance of the same in the office of the register of deeds, a transfer of the land, estate, or interest to the purchaser may be made upon the register as in the case of other sales by deed, and the original certificate and owner's duplicate shall be canceled and a new certificate and owner's duplicate be issued to the purchaser.

SEC. 97. Whenever, after the final determination of the amount of all claims against the estate of the deceased, it shall be made to appear to the court, having jurisdiction of the estate that the estate will justify it and the proof of heirship has been made clear to that court, it may direct the executor or administrator to make over and transfer to the devisees or heirs, or some of them, in anticipation of final distribution, a portion or the whole of the registered lands to which they might be entitled on final distribution; and upon the filing of a certified copy of such order in the office of the register of deeds, the executor or administrator may cause such transfer to be made upon the register in like manner as in case of a sale, and a certificate and owner's duplicate certificate shall be issued to the devisees or heirs entitled thereto as in other cases. The land so transferred shall be held free from all liens or claims against the estate. In the proceedings to procure such order or directions such notice shall be given to all parties in interest as the court having jurisdiction of the estate may direct.

SEC. 98. For the purpose of final distribution of the estate the court having jurisdiction thereof may determine the rights of all persons in registered land, or any estate or interest therein of the deceased, declare and enforce the rights of devisees, heirs, surviving husbands or wives, and others, and make partition and distribution according to the rights of the parties, and may give direction to the executor and administrator as to the transfer of registered lands and any estate or interest therein to the devisees or heirs, and may direct the transfer to be to the several devisees or heirs or tenants in common, or otherwise, as shall appear to the court to be most convenient, consistently with the rights of the parties, or as the parties interested may agree. A certified copy of the final order, judgment, or decree of the court having jurisdiction of the estate making final distribution shall be filed with the register of deeds and thereupon new certificates and owner's duplicate certificates

shall be issued to the parties severally entitled thereto in accordance with such order, judgment, or decree, but nothing in this section contained shall in any way affect or impair existing requirements of law as to notice to be given to all parties interested in the estate of a deceased person before final decree of distribution thereof.

ASSURANCE FUND.

SEC. 99. Upon the original registration of land under this Act, and also upon the entry of a certificate showing title as registered owners in heirs or devisees, there shall be paid to the register of deeds one-tenth of one per centum of the assessed value of the real estate on the basis of the last assessment for municipal taxation, as an assurance fund.

SEC. 100. All money received by the register of deeds under the preceding section shall be paid to the Treasurer of the Philippine Archipelago. He shall keep the same invested, with the advice and approval of the Civil Governor, and shall report annually to the legislative body of the Philippine Islands the condition and income thereof.

SEC. 101. Any person who without negligence on his part sustains loss or damage through any omission, mistake, or misfeasance of the clerk, or register of deeds, or of any examiner of titles, or of any deputy or clerk of the register of deeds in the performance of their respective duties under the provisions of this Act, and any person who is wrongfully deprived of any land or any interest therein, without negligence on his part, through the bringing of the same under the provisions of this Act or by the registration of any other person as owner of such land, or by any mistake, omission, or misdescription in any certificate or owner's duplicate, or in any entry or memorandum in the register or other official book, or by any cancellation, and who by the provisions of this Act is barred or in any way precluded from bringing an action for the recovery of such land or interest therein, or claim upon the same, may bring in any court of competent jurisdiction an action against the Treasurer of the Philippine Archipelago for the recovery of damages to be paid out of the assurance fund.

SEC. 102. If such action be for recovery for loss or damage arising only through any omission, mistake, or misfeasance of the clerk, or of the register of deeds, or of any examiner of titles, or of any deputy or clerk of the register of deeds in the performance of their respective duties under the provisions of this Act, then the Treasurer of the Philippine Archipelago shall be the sole defendant to such action. But if such action be brought for loss or damage arising only through the fraud or willful act of some person or persons other than the clerk, the register of deeds, the examiners of titles, deputies, and clerks, or arising jointly through the fraud or wrongful act of such other person or persons and the omission, mistake, or misfeasance of the clerk, the register of deeds, the examiners of titles, deputies, or clerks, then such action shall be brought against both the Treasurer of the Philippine Archipelago and such person or persons aforesaid. In all such actions where there are defendants other than the Treasurer of the Philippine Archipelago and damages shall have been recovered, no final judgment shall be entered against the Treasurer of the Philippine Archipelago until execution against the other defendants shall be returned unsatisfied in whole or in part, and the officer returning the execution shall certify that the amount still due upon the execution can not be collected except by application to the assurance fund. Thereupon the court having jurisdiction of the action, being satisfied as to the truth of such return, may, upon proper showing, order the amount of the execution and costs, or so much thereof as remains unpaid, to be paid by the Treasurer of the Philippine Archipelago out of the assurance fund. It shall be the duty of the Attorney-General in person or by deputy to appear and defend all such suits with the aid of the fiscal of the province in which the land lies or the City Attorney of the city of Manila as the case may be: *Provided, however,* That nothing in this Act shall be construed to deprive the plaintiff of any action which he may have against any person for such loss or damage or deprivation of land or of any estate or interest therein without joining the Treasurer of the Philippine Archipelago as a defendant therein.

SEC. 103. If the assurance fund at any time be not sufficient to meet the amount called for by such judgment, the Treasurer of the Philippine Archipelago shall make up the deficiency from any funds in the Treasury not otherwise appropriated; and in such

case any sums thereafter received by the Treasurer on account of the assurance fund shall be transferred to the general fund of the Treasury until the amount paid on account of the deficiency shall have been made up.

SEC. 104. In every case where payment has been made by the Treasurer of the Philippine Archipelago in accordance with the provisions of this Act, the Government of the Philippine Islands shall be subrogated to all rights of the plaintiff against any other parties or securities, and the Treasurer shall enforce the same in behalf of the Government. Any sum so recovered by the Treasurer shall be paid into the Treasury of the Philippine Islands to the account of the assurance fund.

SEC. 105. The income of the assurance fund shall be added to the principal and invested until said fund amounts to the sum of two hundred thousand dollars, and thereafter the income of such fund shall be paid into the Insular Treasury for the general purposes of the Insular Government.

The term "dollars" wherever used in this Act shall be construed to mean money of the United States.

SEC. 106. The assurance fund shall not be liable to pay for any loss or damage or deprivation occasioned by a breach of trust, whether express, implied, or constructive, by any registered owner who is a trustee, or by the improper exercise of any sale in mortgage-foreclosure proceedings. Nor shall any plaintiff recover as compensation in an action under this Act more than the fair market value of the real estate at the time when he suffered the loss, damage, or deprivation thereof.

SEC. 107. All actions for compensation under this Act by reason of any loss or damage or deprivation of land or any estate or interest therein shall be begun within the period of six years from the time when the right to bring or take such action or proceeding first accrued, and not afterwards: *Provided*, That the right of action herein provided shall survive to the personal representative of the person sustaining loss or damage, if deceased, unless barred in his

lifetime: *And provided further*, That if at the time when such right of action first accrues the person entitled to bring such action or take such proceeding is within the age of majority, or insane, or imprisoned, such person, or anyone claiming from, by, or under him may bring the action or take the proceeding at any time within two years after such disability is removed, notwithstanding the time before limited in that behalf has expired.

POWERS OF ATTORNEY.

SEC. 108. Any person may by power of attorney procure land to be registered and convey or otherwise deal with registered land, but the letters of attorney shall be acknowledged before a notary public or a judge or clerk of a court of record attested by at least one witness and shall be filed with the clerk or register of deeds of the province where the land lies, and registered. Any instrument revoking such letters shall be acknowledged, attested, and registered in like manner.

LOST DUPLICATE CERTIFICATE.

SEC. 109. If a duplicate certificate is lost or destroyed, or can not be produced by a grantee, heir, devisee, assignee, or other person applying for the entry of a new certificate to him or for the registration of any instrument, a suggestion of the fact of such loss or destruction may be filed by the registered owner or other person in interest, and registered. The court may thereupon, upon the petition of the registered owner or other person in interest, after notice and hearing, direct the issue of a new duplicate certificate, which shall contain a memorandum of the fact that it is issued in place of the lost duplicate certificate, but shall in all respects be entitled to like faith and credit as the original duplicate, and shall thereafter be regarded as the original duplicate for all the purposes of this Act.

ADVERSE CLAIMS.

SEC. 110. Whoever claims any right or interest in registered land adverse to the registered owner, arising subsequent to the date

of the original registration, may if no other provision is made in this Act for registering the same, make a statement in writing setting forth fully his alleged right or interest, and how or under whom acquired, and a reference to the volume and page of the certificate of title of the registered owner, and a description of the land in which the right or interest is claimed. The statement shall be signed and sworn to, and shall state the adverse claimant's residence and designate a place at which all notices may be served upon him. This statement shall be entitled to registration as an adverse claim, and the court, upon a petition of any party in interest, shall, grant a speedy hearing upon the question of the validity of such adverse claim and shall enter such decree therein as justice and equity may require. If the claim is adjudged to be invalid, the registration shall be canceled. If in any case the court after notice and hearing shall find that a claim thus registered was frivolous or vexatious, it may tax the adverse claimant double or treble costs in its discretion.

SURRENDER OF DUPLICATE CERTIFICATES.

SEC. 111. In every case where the clerk or any register of deeds is requested to enter a new certificate in pursuance of an instrument purporting to be executed by the registered owner, or by reason of any instrument or proceedings which divest the title of the registered owner against his consent, if the outstanding owner's duplicate certificate is not presented for cancellation when such request, is made, the clerk or register of deeds shall not enter a new certificate, but the person claiming to be entitled thereto may apply by petition to the court. The court, after hearing, may order the registered owner or any person withholding the duplicate to surrender the same, and direct the entry of a new certificate upon such surrender.

If in any case the person withholding the duplicate certificate is not amenable to the process of the court, or if for any reason the outstanding owner's duplicate certificate can not be delivered up, the court may by decree annul the same and order a new certificate of title to be entered. Such new certificate and all duplicates thereof shall contain a memorandum of the annulment of the outstanding duplicate.

If in any case an outstanding mortgagee's or lessee's duplicate, certificate is not produced and surrendered when the mortgage is discharged or extinguished or the lease is terminated, like proceedings may be had to obtain registration as in the case of the nonproduction of an owner's duplicate.

AMENDMENT AND ALTERATION OF CERTIFICATES OF TITLE.

SEC. 112. No erasure, alteration, or amendment shall be made upon the registration book after the entry of a certificate of title or of a memorandum thereon and the attestation of the same by the clerk or any register of deeds, except by order of the court. Any registered owner or other person in interest may at any time apply by petition to the court, upon the ground that registered interests of any description, whether vested, contingent, expectant, or inchoate, have terminated and ceased; or that new interests have arisen or been created which do not appear upon the certificate; or that any error, omission, or mistake was made in entering a certificate or any memorandum thereon, or on any duplicate certificate; or that the name of any person on the certificate has been changed; or that the registered owner has been married; or, if registered as married, that the marriage has been terminated; or that a corporation which owned registered land and has been dissolved has not conveyed the same within three years after its dissolution; or upon any other reasonable ground; and the court shall have jurisdiction to hear and determine the petition after notice to all parties in interest, and may order the entry of a new certificate, the entry or cancellation of a memorandum upon a certificate, or grant any other relief upon such terms and conditions, requiring security if necessary, as it may deem proper: *Provided, however,* That this section shall not be construed to give the court authority to open the original decree of registration, and that nothing shall be done or ordered by the court which shall impair the title or other interest of a purchaser holding a certificate for value and in good faith, or his heirs or assigns, without his or their written consent.

Any petition filed under this section and all petitions and motions filed under the provisions of this Act after original

registration shall be filed and entitled in the original case in which the decree of registration was entered.

SERVICE OF NOTICES AFTER REGISTRATION.

SEC. 113. All notices required by or given in pursuance of the provisions of this Act by the clerk or any register of deeds, after original registration, shall be sent by mail to the person to be notified at his residence and post-office address as stated in the certificate of title, or in any registered instrument under which he claims an interest, in the office of the clerk or register of deeds, relating to the parcel of land in question.

All notices and citations directed by special order of the court under the provisions of this Act, after original registration, may be served in the manner above stated, and the certificate of the clerk shall be conclusive proof of such service: *Provided, however,* That the court may in any case order different or further service, by publication or otherwise, and shall in all cases do so when the interests of justice require such action.

FEES FOR REGISTRATION.

SEC. 114. Fees payable under this Act shall be as follows:

For every application to bring land under this Act, including indexing and recording the same, and transmitting to the clerk when filed with the register of deeds, three dollars.

For every plan filed, seventy-five cents.

For indexing any instrument recorded while application for registration is pending, twenty-five cents.

For examining title, five dollars and one-tenth of one per centum of the value of the land, as fixed by the last preceding valuation for the purposes of taxation.

For each notice by mail, twenty-five cents and the actual cost of printing.

For all services by a sheriff or other officer under this Act, the same fees as are now provided by law for like services.

For each notice by publication, twenty-five cents and the actual cost of publication.

For entry of order dismissing application, or decree of registration, and sending memorandum to register of deeds, one dollar.

For copy of decree of registration, one dollar.

For entry of original certificate of title and issuing one duplicate certificate, three dollars.

For making and entering a new certificate of title, including issue of one duplicate certificate, one dollar.

For each duplicate certificate, after the first, fifty cents.

For the registration of every instrument, whether single or in duplicate or triplicate, including entering, indexing, and filing the same, and attesting registration thereof, and also making and attesting copy of memorandum on one instrument or on a duplicate certificate when required, one dollar and fifty cents.

For making and attesting copy of memorandum on each additional instrument or duplicate certificate if required, fifty cents.

For filing and registering an adverse claim, three dollars.

For entering statement of change of residence or post-office address, including indorsing and attesting the same on a duplicate certificate, twenty-five cents.

For entering any note in the entry book or in the registration book, twenty-five cents.

For the registration of a suggestion of death or notice of bankruptcy, insolvency, or analogous proceeding, twenty-five cents.

For the registration of a discharge or release of mortgage or other instrument creating an incumbrance, fifty cents.

For the registration of any levy, or of any discharge or dissolution of any attachment or levy, or of any certificate of or receipt for the payment of taxes, or notice of any pending action, or of a judgment or decree, fifty cents.

For indorsing on any mortgage, lease, or other instrument a memorandum of partition, one dollar.

For every petition filed under this Act after original registration, one dollar.

For a certified copy of any decree or registered instrument, the same fees as are provided by the Code of Procedure in Civil Actions and Special Proceedings for clerks of Courts of First Instance for like services.

In all cases not expressly provided for by the law the fees of all public officers for any official duty or service under this Act shall be at the same rate as those prescribed herein for like services: *Provided, however,* That if the value of the land sought to be registered does not exceed one hundred dollars the fees payable for the application to bring land under this Act and for indexing and recording instruments while application for registration is pending, for examining title, for notices by mail or by publication, for services by sheriff or other officer, for entry of order dismissing application or decree of registration, and for entry of original certificate, of title and issuing one duplicate shall be ten dollars.

PENALTIES.

SEC. 115. Certificates of title and duplicate certificates issued, under this Act shall be subjects of larceny.

SEC. 116. Whoever knowingly swears falsely to any statement required to be made under oath by this Act shall be guilty of perjury and liable to the penalties provided by law for perjury.

SEC. 117. Whoever fraudulently procures, or assists in fraudulently procuring, or is privy to the fraudulent procurement of any certificate of title or owner's duplicate certificate, or of any entry in the register or other book kept in the office of the clerk or of any register of deeds, or of any erasure or alteration in any entry in any set of books or in any instrument authorized by this Act, or knowingly defrauds or is privy to defrauding any person by means of a false or fraudulent instrument, certificate, owner's duplicate certificate statement or affidavit affecting registered land, shall be fined not exceeding five thousand dollars or imprisoned not exceeding five years, or both, in the discretion of the court.

SEC. 118. (1) Whoever forges or procures to be forged or assists in forging the seal of the clerk or of any register of deeds, or the name signature, or handwriting of any officer of the court or of the register of deeds, in case where such officer is expressly or impliedly authorized to affix his signature; or

Fraudulently stamps or procures to be stamped or assists in stamping any document with any forged seal of the clerk or register of deeds; or

Forges, or procures to be forged, or assists in forging the name, signature or handwriting of any person whosoever to any instrument which is expressly or impliedly authorized to be signed by such person under the provisions of this Act; or

Uses any document upon which an impression, or part of the impression, of any seal of the clerk or of a register of deeds has been forged, knowing the same to have been forged, or any document

the signature to which has been forged, knowing the same to have been forged, shall be imprisoned not exceeding ten years or fined not exceeding five thousand dollars, or both, in the discretion of the court.

Prosecutions for offenses for violations of any of the provisions of this Act shall be instituted and conducted in the proper Court of First Instance.

SEC. 119. Whoever, with intent to defraud, sells and conveys registered land, knowing that an undischarged attachment or any other incumbrance exists thereon which is not noted by memorandum on the duplicate certificate of the title, without informing the grantee of such attachment or other incumbrance before the consideration is paid, shall be punished by imprisonment not exceeding three years or by a fine not exceeding one thousand dollars, or by both, in the discretion of the court.

SEC 120. No conviction for any act prohibited by this Act shall affect any remedy which any person aggrieved or injured by such act may be entitled to by law against the person who has committed such act or against his estate.

REGISTER OF DEEDS IN MANILA.

SEC. 121. Wherever in this Act the phrase “the register of deeds in the province where the land lies,” or an equivalent phrase, occurs it shall be construed to include and be applicable to the register of deeds in the city of Manila.

PUBLIC LANDS.

SEC. 122. Whenever public lands in the Philippine Islands belonging to the Government of the United States or to the Government of the Philippine Islands are alienated, granted, or conveyed to persons or to public or private corporations, the same shall be brought forthwith under the operation of this Act and shall become registered lands. It shall be the duty of the official issuing the instrument of alienation, grant, or conveyance in behalf

of the Government to cause such instrument, before its delivery to the grantee, to be filed with the register of deeds for the province where the land lies and to be there registered like other deeds and conveyances, whereupon a certificate shall be entered as in other cases of registered land, and an owner's duplicate certificate issued to the grantee. The deed, grant, or instrument of conveyance from the Government to the grantee shall not take effect as a conveyance or bind the land, but shall operate only as a contract between the Government and the grantee and as evidence of authority to the clerk or register of deeds to make registration. The act of registration shall be the operative act to convey and affect the lands, and in all cases under this Act registration shall be made in the office of the register of deeds for the province where the land lies. The fees for registration shall be paid by the grantee. After due registration and issue of the certificate and owner's duplicate such land shall be registered land for all purposes under this Act.

ACT, HOW CONSTRUED.

SEC. 123. This Act shall be construed liberally so far as may be necessary for the purpose of effecting its general intent.

CONTINUANCE OF EXISTING SYSTEM AS TO UNREGISTERED LAND.

SEC. 124. As to lands not registered in accordance with the provisions of this Act, the system of registration and recording heretofore established by law in these islands shall continue and remain in force, except in so far as hereinafter modified, and the evidential weight given by existing law to titles registered as existing law now provides shall be accorded to such titles in the hearings had under this Act before the examiners and before the court. The duties of registering and recording land titles in accordance with the law heretofore existing shall be performed in the several provinces and the city of Manila by the registers of deeds in this Act provided, after such registers of deeds have been appointed: *Provided, however,* That the originals of deeds, mortgages, leases, and other instruments affecting the title to unregistered land shall not be retained by notaries public or other officials before whom

the same are solemnized, but after having been duly executed may be delivered to the grantee, mortgagee, lessee, or other person entitled to the same and be by him presented to the register of deeds for the province where the land lies for registration and recording, in the same manner and with the same legal effect that copies thereof certified by notaries public under existing law are registered and recorded. The register of deeds upon receiving any such deed, mortgage, lease, or other instrument dealing with land not registered under this Act shall indorse upon the instrument so received the true year, month, day, hour, and minute when the same is received, and the same shall be deemed to have been registered and recorded as unregistered land from the time of the indorsement of such memorandum thereon. He shall also indorse thereon the volume and page wherein the same is registered and recorded. After the due registration and recording of such instrument the owner thereof shall be entitled to the custody and possession of the same. The original instrument, the record thereof in the books of the register of deeds, and any certified copy of such record shall be competent evidence in any court of justice. The fees of the register of deeds for registering and recording any such instrument shall be the same as those now provided by law for registering and recording a certified copy of a notarial instrument dealing with land.

SEC. 125. Until registers of deeds shall be appointed in accordance with the provisions of this Act, the officials performing the duties of registrars and recorders of deeds in the several provinces and in the city of Manila shall be registers of deeds and perform the duties of registers of deeds as defined by this Act. Their deputies shall be deputy registers of deeds. All laws relative to existing registrars of deeds and recorders, their deputies, including their compensation, clerk hire, and expenses, shall extend to registers of deeds and their deputies under this Act so far as the same may be applicable.

NOTARIES PUBLIC.

SEC. 126. All notaries public in the Islands, and all other officials and persons having in their possession notarial books, records, protocols, archives, and other documents, shall immediately

deliver to the Chief of the Bureau of Archives all such notarial books, records, protocols, archives, and documents in accordance with the provision of section eighty of Act Numbered One hundred and thirty-six, entitled “An Act providing for the organization of courts in the Philippine Islands,” and hereafter notaries public shall only have the powers and perform the duties prescribed for notaries public in sections eighty-one to ninety-one, inclusive, of said Act Numbered One hundred and thirty-six.

FORMS.

SEC. 127. Deeds, conveyances, mortgages, leases, releases, and discharges affecting lands, whether registered under this Act or unregistered, shall be sufficient in law when made substantially in accordance with the following forms, and shall be as effective to convey, encumber, lease, release, discharge, or bind the lands as though made in accordance with the more prolix forms heretofore in use: *Provided*, That every such instrument shall be signed by the person or persons executing the same, in the presence of two witnesses, who shall sign the instrument as witnesses to the execution thereof, and shall be acknowledged to be his or their free act and deed by the person or persons executing the same, before the judge of a court of record or clerk of a court of record, or a notary public, or a justice of the peace, who shall certify to such acknowledgment substantially in the form next hereinafter stated :

1. Form of acknowledgment by person executing deed of conveyance, mortgage, lease, release, or discharge affecting land.

UNITED STATES OF AMERICA, PHILIPPINE ISLANDS.

PROVINCE OF (or city of Manila) _____

At the municipality of _____,
in said province, on this _____ day of
_____, A. D. 19____, personally appeared
_____, known to me to be the
same person (or persons) who executed the foregoing instrument,
and acknowledged that the same is his (or their) free act and deed.

Before me _____
(Notary public or other official as the case may be.)

2. Deed of land registered under this Act.

I, _____, of _____,
in the Province of _____, in the Philippine
Islands, in consideration of _____
dollars, to me paid by _____, of
_____, in the Province of _____
_____, in the Philippine Islands, do
hereby sell and convey to said _____
and his heirs and assigns that parcel of land, together with
all the buildings and improvements thereon, situated in the
municipality of _____, and Province of
_____, in the Philippine Islands, bounded
and described as follows (here insert boundaries and description),
of which land I am the registered owner in accordance with the
provisions of the Land Registration Act, my title thereto being
evidenced by Certificate Number _____ in the
land records of said province.

In witness whereof, I have hereunto signed my name on this
_____ day of _____, A. D. 19_____

Signed in the presence of:

(To be followed by acknowledgment according to Form 1.)

*3. Deed of land not registered under this Act, without covenants
of warranty.*

I, _____, of _____
_____, in the Province of _____, in
the Philippine Islands, in consideration of _____
dollars, to me paid by _____

of _____, in the Province of _____
 _____, in the Philippine Islands, do hereby sell
 and convey to the said _____, his heirs
 and assigns, that parcel of land, together with all the buildings and
 improvements thereon, situated in the municipality of _____
 _____, in the Province of _____
 _____ in the Philippine Islands, bounded and described
 as follows (here insert boundaries and description).

In witness whereof. I have hereunto signed my name, on this
 _____ day of _____, A. D. 19____

 Signed in the presence of:

(Acknowledgment.)

*4. Deed of land not registered under this Act, with covenants
 of warranty.*

I, _____, of _____,
 in the Province of _____ in the Philippine
 Islands, in consideration of _____
 dollars, to me paid by _____, of
 _____, in the Province of
 _____, in the Philippine Islands, do hereby
 sell and convey to the said _____
 _____, his heirs and assigns, that parcel of land, together with all the
 buildings and improvements thereon, situated in the municipality
 of _____, in the Province of
 _____, in the Philippine Islands, bounded
 and described as follows (here insert boundaries and description);
 and the said _____ (seller) does hereby
 covenant and agree with the said _____
 (purchaser) that he is lawfully seized in fee of said premises, that
 they are free from all incumbrances, that he has a perfect right
 to convey the same, and that he will warrant and forever defend
 the same unto the said _____
 _____ (purchaser), his heirs and assigns, against the lawful claims of all

persons whomsoever (or insert other covenants, whatever they may be).

In witness whereof, etc.

Signed in the presence of:

(Acknowledgment.)

5. Mortgage of land registered under this Act.

I, _____, of _____, in the Province of _____ in the Philippine Islands, in consideration of _____ dollars, to me paid by _____, of _____, in the Province of _____, in the Philippine Islands, do hereby, by way of mortgage, convey to the said _____, his heirs and assigns, that parcel of land, together with all the buildings and improvements thereon, situated in the municipality of _____, in the Province of _____ in the Philippine Islands, bounded and described as follows (here insert boundaries and description), of which land I am the registered owner, in accordance with the provisions of the Land Registration Act, my title thereto being evidenced by Certificate Number _____, in the land records of said province; *Provided, nevertheless*, That if I, the said _____ (mortgagor) shall duly pay, or cause to be paid, to the said _____ (mortgagee) my certain promissory notes of this date by me signed, and payable to the said _____ (mortgagee), all dated on this date, each for the sum of _____ dollars, and payable in one, two, and three years from date (or otherwise, as the case may be), with lawful interest, then this mortgage shall be thereby discharged and of no further effect, otherwise it shall remain in full force and be enforceable in the manner provided by law.

In witness whereof, etc.

Signed in the presence of:

(Acknowledgment.)

6. Mortgage of land not registered under this Act.

(This mortgage may be in the same form as that prescribed in Form No. 5, but omitting that portion of Form No. 5 which describes the land as registered under the Land Registration Act, and including such covenants, of warranty as the parties may agree upon.)

7. Discharge of mortgage of land registered tender this Act.

I, _____, of _____, in the Province of _____, in the Philippine Islands, mortgagee of the land embraced in Certificate Number _____ in the land records of the Province of _____, by virtue of a mortgage executed by _____, of _____, in the Province of _____, in the Philippine Islands, on the _____ day of _____ 19 ____, having received the full consideration named as the condition of said mortgage, do hereby forever release and discharge the same.

In witness whereof, etc.

Signed in the presence of:

(Acknowledgment.)

8. Discharge of Mortgage of land not registered under this Act.

(The discharge in this case may be as in Form No. 7, varying the description of the mortgage to suit the facts.)

9. Lease of land registered under this Act.

I, _____, of _____, in the Province of _____, in the Philippine Islands, in consideration of the agreements hereinafter contained, do hereby lease unto _____, of _____, in the Province of _____, in the Philippine Islands, and his assigns (if the lease is to be assignable), that parcel of land, together with all the buildings and improvements thereon, situated in the municipality of _____, in the Province of _____, in the Philippine islands, bounded and described as follows (here insert boundaries and description), of which land I am the registered owner, in accordance with the provisions of the Land Registration Act, my title thereto being evidenced by Certificate Number _____ in the land records of said province, for the period of _____ years from this date.

And I, the said lessee, in consideration of this lease, do hereby promise, for myself and my heirs and assigns, that I will cause to be paid to the said _____ (lessor), an annual rental (or monthly rental) of _____ dollars per year (or per month, as the case may be) during the whole period of this lease, payable on the _____ day of _____ of each year (or at such other times as may be agreed upon).

(Other special agreements of the lease may be here inserted.)

In witness whereof, etc.

Signed in the presence of:

(Acknowledgment.)

10. Lease of land not registered under this Act.

This lease may be as in Form No. 9, omitting that portion thereof that relates to the certificate of title and inserting such covenants of warranty as may be agreed upon.

11. Release of leased lands, whether registered under this Act or not.

(Such release may be as in Forms Nos. 7 and 8, for the discharge of mortgages, using the term “release,” instead of “discharge,” and, inserting such description as fully identifies the lease.)

SEC. 128. This Act shall take effect January first, nineteen hundred and three.

Enacted, November 6, 1902.

ACT NO. 4054

AN ACT TO PROMOTE THE WELL-BEING OF TENANTS (APARCEROS) IN AGRICULTURAL LANDS DEVOTED TO THE PRODUCTION OF RICE AND TO REGULATE THE RELATIONS BETWEEN THEM AND THE LANDLORDS OF SAID LANDS, AND FOR OTHER PURPOSES

Be it enacted by the Senate and House of Representatives of the Philippines in Legislature assembled and by the authority of the same:

PART I.—*Share tenancy contract in general*

SECTION 1. *Title of Act.*—This Act shall be known as “The Philippine Rice Share Tenancy Act.”

SEC. 2. *Share tenancy contracts defined.*—A contract of share of tenancy is one whereby a partnership between a landlord and a tenant is entered into, for a joint pursuit of rice agricultural work with common interest in which both parties divide between them the resulting profits as well as the losses.

SEC. 3. *Landlord and tenant interpreted.*—For the purposes of this Act, the word “landlord” shall mean and includes either a natural or juridical person who is the real owner of the land which is the subject-matter of the contract, as well as a lessee, a usufructuary or any other legitimate possessor of agricultural land cultivated by another; and the word “tenant” shall mean a farmer or farm laborer who undertakes to work and cultivate land for another or a person who furnishes the labor.

SEC. 4. *Form of contract.* — The contract on share tenancy, in order to be valid and binding, shall be drawn in triplicate in the language or dialect known to all the parties thereto, to be signed or thumb-marked both by the landlord or his authorized representative and by the tenant, before two witnesses, one to be chosen by each party. The party who does not know how to read and write may request one of the witnesses to read the contents of the document.

Each of the contracting parties shall retain a copy of the contract and the third copy shall be filed with, and registered in the office of the municipal treasurer of the municipality, where the land, which is the subject-matter of the contract, is located: *Provided, however,* That in order that a contract may be considered registered, both the copy of the landlord and that of the tenant shall contain an annotation made by the municipal treasurer to the effect that same is registered in his office.

SEC. 5. *Registry of tenancy contract.* – For the purposes of this Act, the municipal treasurer of the municipality wherein the land, which is the subject-matter of a contract, is situated, shall keep a record of all contracts made within his jurisdiction, to be known as Registry of Tenancy Contracts. He shall keep this registry together with a copy of each contract entered therein, and make annotations on said registry in connection with the outcome of a particular contract, such as the way same is extinguished: *Provided, however,* That the municipal treasurer shall not charge fees for the registration of said contract which shall be exempt from the documentary stamp tax.

SEC. 6. *Duration of contract.*—Any contract on rice tenancy entered into between landlord and tenant or farm laborer according to this Act shall last in accordance with the stipulation of the parties: *Provided, however,* That in the absence of stipulation, same shall be understood to last only during one agricultural year: *Provided, further,* That unless the contract is renewed in writing and registered as provided in section four hereof within thirty days after the expiration of the original period, the same shall be presumed to be extinguished: *Provided, finally,* That in case of renewing the contract without changing the stipulations therein it is sufficient that the municipal treasurer shall annotate the word “renewed” in the three copies of the contract and in the Registry of Tenancy Contracts.

For the purposes of this section, one agricultural year shall mean the length of time necessary for the preparation of the land, sowing, planting and harvesting a crop, although it may be shorter or longer than a calendar year.

SEC. 7. *Rules governing tenancy contracts.*—In any contract of tenancy mentioned in this Act, the contracting parties shall be free to enter into any or all kinds of agreement or stipulations so long as they are not contrary to existing laws, customs, morals and public policy: *Provided*, That such contract shall be conclusive evidence of what has been agreed upon between the contracting parties, if their stipulations are not denounced or impugned within thirty days from its registration in the office of the municipal treasurer, as provided in section five of this Act.

SEC. 8. *Share basis.*—In the absence of any written agreement to the contrary and when the necessary implements and the work animals are furnished by the tenant; and the expenses for planting, harvesting, threshing, irrigation and fertilizer, if any, as well as other expenses incident to the proper cultivation of the land, are borne equally by both the landlord and tenant, the crop shall be divided equally. The division shall be made in the same place where the crop has been threshed and each party shall transport his share to his warehouse, unless the contrary is stipulated by the parties: *Provided, however*, That when the landlord furnishes the work animal gratuitously it shall be deemed as a special consideration, and the tenant shall be obliged to transport the share of the landlord to his warehouse if it is within the municipality where the land cultivated is situated.

SEC. 9. *Auxiliary industry.*—In the absence of any written agreement to the contrary, the profits of any other industry carried on the holding for the common benefit shall belong in equal shares to both landlord and tenant, after making the necessary deduction for expenses which shall be returned to the party who advanced it.

Auxiliary industry shall not, however, be construed to include the crops or products raised from a garden, poultry, and such other industries carried on a lot specially provided for the residence of the tenant.

PART II.—*Accounts and their liquidation*

SEC. 10. *Loans.*—All advances obtained by the tenant from the landlord in connection with the cultivation, planting, harvesting, and such other incidental expenses for the improvement of the crop planted, shall bear interest not exceeding ten per centum per agricultural year and shall be evidenced by a written contract to this effect, otherwise they shall not bear any interest: *Provided, however,* That on all loans other than money, such as grain or other agricultural products made to the tenant by the landlord, no interest in excess of ten per centum shall be added to the invoice price of the article thus loaned, and any inflation of the original price of said article shall be considered as usurious and penalized according to the provisions of the Usury Law.

SEC. 11. *Limit of loans.*—The limit of the loan that can be requested by a tenant shall be fifty per centum of the average yearly tenant's share on the particular piece of land allotted to said tenant for cultivation during the last three years: *Provided,* That in the case of land to be cultivated for the first time, the limit of the loan shall depend upon the agreement of the parties until the third year.

SEC. 12. *Memorandum of advances.*—Any obligation referring to any amount, either in money or in kind, which the tenant may have received in advance from time to time from the landlord, shall be unenforceable by action unless the same, or some note or memorandum thereof, be in writing, in a language or dialect known to the party charged, and subscribed by the said party, or by his agent. Said memorandum or note shall be signed by both parties and made in duplicate, one copy to remain with the landlord and the other with the tenant.

SEC. 13. *Form of final accounting.*—The final accounting between landlord and tenant at the end of each agricultural year, shall be effected within fifteen days after the threshing of the harvested crop and the same shall be made to appear on a note or memorandum written in a language known to the tenant and signed by both parties in the presence of two witnesses, who shall be selected by each party. Each of the contracting parties shall be

furnished with a copy of said note or memorandum, and such final accounting, once duly signed by both parties and two witnesses, shall be deemed conclusive evidence of its contents, except in case of fraud.

SEC. 14. *Settlement of debts.*—Once the accounting is made, any amount of money which the landlord may have advanced to the tenant as expenses of cultivation or for his own private use, as well as any amount of grain or agricultural products advanced for his support and that of his family, shall be paid by the tenant out of his share, except fifteen per centum of same which is hereby declared exempt from the landlord's lien: *Provided*, That such grain or agricultural products shall be appraised in money according to their current market value at the place where the land is located at the time of their delivery to the tenant: *Provided, further*, That in case his share is not sufficient, his outstanding debt shall be reduced in money and shall bear an interest of not more than twelve per centum per annum: *And provided, finally*, That the remaining debt of the tenant once converted into money shall not again be converted into kind. Said outstanding debt may, however, be paid in money or in agricultural products appraised at the current market price at the time of payment.

SEC. 15. *Use of official measurement.*—In all transactions entered into between landlords and tenants on agricultural products, whether contracting a debt or making payment thereof, the official measure of the Government shall be used.

PART III.—*Rights and obligations of landlord*

SEC. 16. *Landlord as manager.*—For the purpose of this Act, the management of the farm rests with the landlord, to be exercised either directly or indirectly, through a representative.

SEC. 17. *Special lien on share of tenant.*—The landlord shall have a special and preferential lien over the share of the tenant in the product of the farm cultivated by him: *Provided, however*, That such lien over the product of the farm shall be enforceable only to as much as eighty-five per centum of the total share of the tenant

in case the latter has an outstanding debt after the accounting is made.

SEC. 18. *Land taxes, burden and contribution.*—The landlord shall be responsible for the payment of taxes imposed by the Government upon the land which is the subject matter of the contract and it shall be illegal to make the tenant bear a part of such tax, burden and contribution, either directly or indirectly.

SEC. 19. *Landlord cannot dismiss his tenant except for good causes.*—The landlord shall not dismiss his tenant without just and reasonable cause, otherwise the former shall be liable to the latter for losses and damages to the extent of his share in the product of the farm entrusted to the dismissed tenant.

Any one of the following shall be considered just and reasonable cause for dismissing a tenant by the landlord before the expiration of the period:

(1) Gross misconduct or willful disobedience on the part of the tenant to the orders of the landlord or of his representative in connection with his work.

(2) Negligence on the part of the tenant to do the necessary farm work expected of him so as to insure a good harvest.

(3) Non-compliance with any of the obligations imposed upon the tenant by this Act or by the contract.

(4) Fraud or breach of trust in connection with work entrusted to him.

(5) When the tenant leases it or lets to another the use of the land entrusted to him by the landlord, without the consent of the latter.

(6) Commission of a crime against the person of the landlord or his representative, or any member of the family of the same.

PART IV.—*Rights and obligations of a tenant*

SEC. 20. *Freedom of tenant at certain time.*—The tenant shall be free to work elsewhere during the intervals of the working season in the farm where he is a tenant: *Provided*, That if he is requested

by the landlord to perform other work not connected with his duties as tenant, he shall be paid accordingly by said landlord, unless otherwise stipulated in the contract.

SEC. 21. *Right of tenant in case of dismissal.*—In case of dismissal the tenant shall not be dispossessed of the land he cultivates until he is previously reimbursed of his advances if any, incurred in the cultivation, planting or harvesting, and such other incidental expenses for the improvement of the crop cultivated, even if such dismissal is for just cause.

SEC. 22. *Lot for dwelling.*—The tenant shall be entitled to construct a dwelling on the land cultivated by him, if he so chooses, and once a dwelling is constructed, he shall also be entitled to a fixed residential lot if there is any available, not exceeding ten per centum of the total area cultivated by him, but in no case shall it exceed five hundred square meters, wherein he can have a garden, poultry and such other minor industries necessary for his livelihood: *Provided, however,* That the tenant shall be given forty-five days within which to remove his house from the land of the landlord in case of cancellation of the contract of tenancy for any reason: *Provided, however,* That in case he fails to devote the lot allotted him for the purposes herein mentioned for a period of six months, it shall revert again to the cultivation of rice.

SEC. 23. *Standard of conduct to be observed by tenant.*—The tenant shall be under obligation to cultivate the farm as a good father of the family, by doing all the work necessary to obtain the greatest possible returns from the farm entrusted to him, such as the proper preparation of the soil, the cutting of shrubs and grasses that may be growing on the land as well as the repair of dikes.

The tenant shall also be obliged to take reasonable care of the work animals that may be delivered to him by the landlord, otherwise, he shall be liable for their death or physical incapacity by reason of his negligence.

The tenant shall likewise be liable for any damage caused by his animal for letting it loose, in case it feeds upon or destroys the crop of another.

SEC. 24. *Trespass by third person.*—The tenant shall inform the landlord at once of any trespass committed by a third person upon the farm entrusted to him, otherwise it may be considered as negligence on his part.

SEC. 25. *Tenant cannot leave landlord at any time except for good causes.*—The tenant cannot leave his landlord without just and reasonable cause, otherwise the former shall be liable to the latter for losses and damages to the extent of eighty-five per cent of his share in the product of the farm cultivated by him.

Any one of the following shall be considered just and reasonable cause on the part of the tenant for leaving the service before the expiration of the period:

(1) Cruel and inhuman treatment on the part of the landlord or his representative toward the tenant or his family.

(2) Non-compliance on the part of the landlord with any of the obligations imposed upon him by the provisions of this Act or by the contract.

(3) Compelling the tenant to do any work against his will, which is not in any way connected with his farm work nor stipulated in the contract.

(4) Commission of a crime by the landlord against the person of the tenant, or any member of the family of the latter.

PART V.—*Extinguishing of contract*

SEC. 26. *How extinguished.*—The contract of farm tenancy is extinguished:

(1) At the end of each agricultural year, unless otherwise stipulated by the parties.

(2) By the agreement of the parties.

(3) By the death or physical incapacity of the tenant or farmer, in which case his heirs if any, shall be given a proportional share in the products in accordance with the service rendered by the deceased.

(4) By the sale or alienation of the land which is the subject matter of the contract, in which case the purchaser shall assume the rights and obligations of the former landlord in relation with the tenant or farmer.

(5) When the estate is no longer fit for agriculture or becomes public property.

(6) By merger in the same person of the personality of landlord and tenant and tenant or landlord and farmer.

PART VI.—*Penal and final provisions*

SEC. 27. *Violations.*—All violations of the provisions of this Act involving deceit, malice, or fraud shall be punished in accordance with article three hundred and eighteen of the Revised Penal Code.

If the violation is committed by means of falsification or alteration of private documents, the provisions of article one hundred and seventy-two of the same Code shall be applied.

SEC. 28. *Repealing provisions.*—All laws or parts of laws inconsistent with the provisions of this Act are hereby repealed.

SEC. 29. *Final provisions.*—This Act shall be applicable to the relations between landlords and tenants of rice lands only, and shall take effect on May first, nineteen hundred and thirty-three: *Provided, however,* That this Act shall take effect only in the provinces where the majority of the municipal councils shall, by resolution, have petitioned for its application to the Governor-General, who thereupon shall, by proclamation, fix the date when this law shall, take effect in said provinces: *And provided, further,*

That this Act shall be translated into the dialects of the localities to which its provisions shall apply, and a sufficient number of copies shall be printed for free distribution by the municipal treasurer concerned to the persons asking for them.

Approved, February 27, 1933.

ACT 4054 (secs. 3, 4, 7, 8, 9, and 22) were amended by RA 34.
ACT 4054 (secs. 7, 15, 23, and 29) were amended by CA 178.
ACT 4054 was repealed by RA 1199.

ACT NO. 4113

AN ACT TO PRESCRIBE CERTAIN PROVISIONS CONCERNING TENANCY CONTRACTS ON LAND PLANTED TO SUGAR CANE

Be it enacted by the Senate and House of Representatives of the Philippines in Legislature assembled and by the authority of the same:

SECTION 1. *Vouchers and other documents.* — When the sugar cane produced on a piece of land is milled in a sugar central, it shall be the duty of the owner of said land to inform the tenant, on the basis of the receipts issued by the central which must, on demand, be exhibited to the tenant, of the number of tons of cane harvested on the land cultivated by the tenant and of the number of piculs of sugar accruing to said cane, and of the share of said cane of the additional sugar distributed by the central after each milling season and of the molasses which the tenant is entitled to receive.

SEC. 2. *Necessary expenses of milling elsewhere than at central.* — When the cane is not milled at the central but in the private mill of the landowner, the latter, in the absence of any agreement to the contrary, shall stipulate with his tenant regarding the necessary expenses of milling, cutting and hauling the cane from field to mill, and of purchasing all necessary ingredients for boiling the sugar, and all material to be used for the proper packing of the product.

SEC. 3. *Contract for the sale of the product of the land.* — When there is no written agreement concerning the value of the share of the tenant, the landowner shall not sell said share without the knowledge and written consent of the tenant or his representative. When the tenant does not consent to the sale of the product representing his share of the crop, the landowner in whose keeping said product shall remain, shall have the right to sell the same after the lapse of thirty days after the termination of the milling at the current market price and shall use the proceeds of such sale to pay all indebtedness and other

obligations of the tenant to the landowner and the storage and preservation of the product sold, delivering the balance, if there be any, to the tenant.

SEC. 4. *Liquidation and distribution of the crop.* — The settlement of accounts between landowner and tenant and the distribution of the crop shall be made immediately after each milling season, and as regards cane not milled in sugar centrals, each of the parties shall be obliged to haul his share to the place where it desires the same to be taken, unless previously agreed otherwise in writing between the parties.

SEC. 5. *Right of tenant to claim.* — When the landowner has for any reason pledged the crop harvested on the land to any commercial bank or other body or person, and such crop is distrained by said creditor and the share of the tenant is included, the tenant shall be entitled to claim payment by the landowner of the amount of his share at the current price of the product in the local market, out of all his real or personal property or any interest or account he may have in or against any concern or person.

SEC. 6. *Written advice.* — After having paid the expenses of planting, cultivating, and harvesting the crop, the landowner shall advise the tenant in writing of said expenses.

SEC. 7. *Penalty for violation.* — Any violation of the provisions of this Act shall be punished by a fine of not less than twenty-five pesos nor more than two hundred pesos, or by imprisonment for not less than ten days nor more than sixty days, or both, in the discretion of the court.

SEC. 8. This Act shall take effect on January first, nineteen hundred and thirty-four.

Approved, December 7, 1933.

COMMONWEALTH ACTS

B. No. 705

FIRST NATIONAL ASSEMBLY

Special Session

COMMONWEALTH ACT NO. 178

AN ACT AMENDING SECTIONS SEVEN, FIFTEEN, TWENTY-THREE AND TWENTY-NINE OF ACT NUMBERED FOUR THOUSAND AND FIFTY-FOUR, ENTITLED "AN ACT TO PROMOTE THE WELL-BEING OF TENANTS (APARCEROS) IN AGRICULTURAL LANDS DEVOTED TO THE PRODUCTION OF RICE AND TO REGULATE THE RELATIONS BETWEEN THEM AND THE LANDLORDS OF SAID LANDS, AND FOR OTHER PURPOSES."

Be it enacted by the National Assembly of the Philippines:

SECTION 1. Section seven of Act Numbered Four thousand and fifty-four, entitled "An Act to promote the well-being of tenants (aparceros) in agricultural lands devoted to the production of rice and to regulate the relations between them and the landlords of said lands, and for other purposes," is hereby amended so as to read as follows:

"SEC. 7. *Rules governing tenancy contracts.* – In any contract of tenancy mentioned in this Act, the contracting parties shall be free to enter into any or all kinds of agreements or stipulations so long as they are not contrary to existing laws, customs, morals and public policy, and such contract shall be conclusive evidence of what has been agreed upon between the contracting parties, except in case of fraud or error, if their stipulations are not denounced or impugned within thirty days from its registration in the office of the municipal treasurer, as provided in section five of this Act."

SEC. 2. Section fifteen of Act Numbered Four thousand and fifty-four is hereby amended so as to read as follows:

"SEC. 15. *Use of official weights and measures.* – In all transactions entered into between landlords and tenants on agricultural products, whether contracting a debt or making payment thereof, the official weights and measures of the Government shall be used."

SEC. 3. Section twenty-three of Act Numbered Four thousand and fifty-four is hereby amended so as to read as follows:

"SEC. 23. *Standard of conduct to be observed by tenant.* – The tenant shall be under obligation to cultivate the farm as a good father of the family, by doing all the work necessary to obtain the greatest possible returns from the farm entrusted to him, such as the proper preparation of the soil, the cutting of shrubs and grasses that may be growing on the land as well as the repair of dikes.

"The tenant shall also be obliged to take reasonable care of the work animals that may be delivered to him by the landlord, necessary for the work entrusted to him; otherwise, he shall be liable for their death or physical incapacity by reason of his negligence."

SEC. 4. Section twenty-nine of Act Numbered Four thousand and fifty-four is hereby amended so as to read as follows:

"SEC.. 29. *Final provisions.* – This Act shall be applicable to the relations between landlords and tenants of rice lands only, and shall take effect after January first, nineteen hundred and thirty-seven by proclamation to be issued by the President of the Philippines upon recommendation of the Secretary of Labor, when public interests so require, in the municipalities and on the date designated in such proclamation; and once enforced, its effects may similarly be suspended. This Act shall be translated into the local languages of the municipalities to which its provisions shall apply, and a sufficient number of copies shall be printed for free distribution by the municipal treasurer concerned to the persons asking for them."

Approved: November 13, 1936.

CA 178 amended ACT 4054 (secs. 7, 15, 23, and 29).

B. No. 660

SECOND NATIONAL ASSEMBLY

First Session

COMMONWEALTH ACT NO. 441

AN ACT CREATING THE NATIONAL LAND SETTLEMENT
ADMINISTRATION

Be it enacted by the National Assembly of the Philippines:

SECTION 1. There is created a corporation composed of five persons to be known as “National Land Settlement Administration.” They shall act as members of the Board of Directors in charge of the management of the Corporation and shall be appointed every three years by the President of the Philippines, with the consent of the Commission on Appointments of the National Assembly. The Corporation shall enjoy the general powers mentioned in the Corporation Law, shall be subject to the provisions thereof insofar as the same are compatible with the provisions of this Act, and for attaining the purposes of the same, may perform any act which a corporation, copartnership, or natural person is authorized to perform under the laws existing or which may be hereafter enacted. This Corporation shall have its main office in the City of Manila.

SEC. 2. The Corporation shall serve as an agency of the Commonwealth Government for the attainment of the following objectives:

(a) To facilitate the acquisition, settlement and cultivation of lands whether acquired from the Government or from private parties;

(b) To afford opportunity to own farms to tenant farmers and small farmers from congested areas, and to trainees who have completed the prescribed military training.

(c) To encourage migration to sparsely populated regions, and facilitate the amalgamation of the people in different sections of the Philippines.

(d) To develop new money crops to take the place of the present export crops which may suffer from the loss of preferences which they enjoy in the American market.

SEC. 3. To carry out these purposes, the Corporation shall have the following powers:

(a) To hold without limitation as to area public agricultural lands for a period not exceeding twenty-five years, renewable by the President of the Philippines for another period of not exceeding twenty-five years;

(b) To recommend to the President of the Philippines the reservation of public lands, preferably those situated along national highways, and to provide for the clearing, breaking, and cultivation of the lands so reserved for subsistence farming, or for money crops, or for both, on a cooperative basis or under such arrangements as may prove beneficial to the settlers, and for their survey into convenient lots, and to set aside such area or areas as may be deemed desirable for townsites, roads, government building sites, parks, and other public improvements. The expenses incurred in connection with the survey and subdivision of lots for allotment to settlers or for their initial cultivation shall be chargeable to the fund herein appropriated and shall be prorated among the lots of the subdivisions and charged against the corresponding settlers.

(c) To dispose of the lands so reserved, held, surveyed, or subdivided to persons qualified under the Constitution and the Public Land Act and who possess such other qualifications as may be prescribed by the Board of Directors. The disposition and final grant of the land shall be made subject to the limitations prescribed in the Constitution and the Public Land Act and to the compliance of all conditions as may be imposed by the Board of Directors. Within a period of ten years after such final grant, the land shall not, except

by inheritance, be encumbered, alienated or transferred, nor shall it become liable to the satisfaction of any debt contracted, prior to the expiration of said period; but the improvements or crops on the land may be mortgaged or pledged to the credit agencies created under the provisions of this Act. No settler shall be entitled to hold a lot more than twenty-four hectares, and no officer or employee of the corporation shall be permitted to acquire, directly or indirectly, any land within the reservation, unless with the specific approval of the Board of Directors in each case. The applicants shall be recruited from all provinces in proportion to their respective population, and in case a province shall not be able to fill the quota assigned, the unfilled portion of the quota may be covered from other provinces having greater number of applicants.

(d) To acquire from private parties those lands that are necessary to enable it to carry out the purposes for which it is created, for roads, highways, streets, and avenues, or those private lands surrounded by or adjacent to the public land acquired by the corporation.

(e) To make contracts and enter into such arrangements or contracts as it may consider convenient and advantageous to the common interest of the settlers and the Government for the development, exploitation, and operation of any of its properties;

(f) To establish and operate credit agencies to extend credit to the settlers upon the security of rights acquired by them as settlers on the crops raised or improvements made by them. The rate of interest on such loan shall not exceed six *per centum per annum*.

(g) To establish and operate electric light and water plants, water supplies, irrigation systems, trading stores or cooperatives to engage in the buying and selling of commodities and other services or improvements which in the judgment of the Board will promote the well-being of the settlers;

(h) To act as agent, broker, commission merchant, or representative of the settlers in the marketing of the products raised or made by such settlers;

(i) To borrow, issue bonds, or otherwise raise funds for carrying out the objects of this corporation, whenever it is deemed necessary for the interest of the settlers, giving its property as security therefor;

(j) To engage in manufacturing, milling, lumbering, retailing, and in such business enterprises or industries as may be necessary and desirable to insure the success of the land settlement projects;

(k) To adopt such uniform rules and regulations as may be necessary to carry out the purposes of this Act.

SEC. 4. The Board of Directors shall elect its chairman from among its members. Three members of the board shall constitute a quorum for the transaction of business. The members, if not Government officials or employees, shall each receive such per diems as may be determined by the board, not to exceed thirty pesos for each day of meeting actually attended by them.

SEC. 5. Subject to the approval of the President of the Philippines, the board shall appoint a manager and fix his compensation, which shall not exceed eighteen thousand pesos per annum. The Manager shall, subject to the approval of the board, appoint such technical, clerical, and other employees as may be necessary: *Provided*, That all appointments for positions with compensation of two thousand four hundred pesos per annum or more shall be subject to the approval of the President of the Philippines.

SEC. 6. The capital of the corporation shall be twenty million pesos, to be subscribed by the Government of the Commonwealth of the Philippines.

SEC. 7. There are appropriated out of the proceeds of the coconut oil excise tax or out of any other available funds in the Philippine Treasury such sums as may be necessary to pay for such part or parts of the capital as may be required from time to time by the Board of Directors with the approval of the President of the Philippines, but the aggregate value of which shall not exceed four million pesos in any one year.

SEC. 8. The corporation shall submit its annual report and balance sheet to the President of the Philippines and the National Assembly as provided for in sections five hundred and seventy-four to five hundred and seventy-seven, inclusive, of the Administrative Code.

SEC. 9. This Act shall take effect upon its approval.

Approved: June 3, 1939.

B. No. 1037

SECOND NATIONAL ASSEMBLY

First Session

COMMONWEALTH ACT NO. 461

AN ACT TO REGULATE THE RELATIONS BETWEEN
LANDOWNER AND TENANT AND TO PROVIDE FOR
COMPULSORY ARBITRATION OF ANY CONTROVERSY
ARISING BETWEEN THEM

Be it enacted by the National Assembly of the Philippines:

SECTION 1. Any agreement or provision of law to the contrary notwithstanding, in all cases where land is held under any system of tenancy the tenant shall not be dispossessed of the land cultivated by him except for any of the causes mentioned in section nineteen of Act Numbered Four thousand and fifty-four or for any just cause, and without the approval of a representative of the Department of Justice duly authorized for the purpose. Should the landowner or the tenant feel aggrieved by the action taken by this official, or in the event of any dispute between them arising out of their relationship as landowner and tenant, either party may submit the matter to the Court of Industrial Relations which is given jurisdiction to determine the controversy in accordance with law.

SEC. 2. This Act shall take effect upon its approval.

Approved, June 9, 1939.

CA 461 was repealed by RA 1199.

REPUBLIC ACTS

REPUBLIC ACT NO. 34

AN ACT AMENDING CERTAIN SECTIONS OF ACT NUMBERED FOUR THOUSAND FIFTY-FOUR, AS AMENDED, OTHERWISE KNOWN AS “THE PHILIPPINE RICE SHARE TENANCY ACT”

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

SECTION 1. Sections three and four of Act Numbered Four thousand and fifty-four are hereby amended to read as follows:

“SEC. 3. *Landlord and tenant interpreted.* - For the purpose of this Act, the word “landlord” shall mean and include either a natural or juridical person who is the real owner of the land which is the subject-matter of the contract, as well as a lessee, a usufructuary or any other legitimate possessor of agricultural land cultivated by another; and the word “tenant” shall mean a farmer or farm laborer who undertakes to work and cultivates land for another or a person who furnishes the labor with the consent of the landlord.

“SEC. 4. *Form of contract.* - The contract on share tenancy, in order to be valid and binding, shall be drawn in triplicate in the language or dialect known to all the parties thereto, to be signed to thumb-marked both by the landlord or his authorized representative and by the tenant, before two witnesses, one to be chosen by each party. The party who does not know how to read and write may request one of the witnesses to read the contents of the document. Each of the contracting parties shall retain a copy of the contract and the third copy shall be filed with, and registered in, the office of the municipal treasurer of the municipality, where the land, which is the subject-matter of the contract, is located: *Provided, however,* That in order that a contract may be considered registered, both the copy of the landlord and that of the tenant shall contain an annotation made by the

municipal treasurer to the effect that same is registered in his office.

“The forms of contract shall be uniform and shall be prepared and furnished by the Department of Justice. Oath or affirmation by the contracting parties before the municipal treasurer concerned shall be sufficient for the purpose of acknowledgment. No fees or stamps of any kind shall be paid or required.”

SEC. 2. Section seven of the same Act, as amended by Commonwealth Act Numbered One hundred seventy-eight, is hereby further amended to read as follows:

“SEC. 7. *Freedom to contract.* - The landlord and tenant shall be free to enter into any or all kinds of tenancy contract as long as they are not contrary to existing laws, morals and public policy. Such contract shall be conclusive evidence of what has been agreed upon between the contracting parties, except in case of fraud or error, if the said contract is not denounced or impugned within thirty days from its registration in the office of the municipal treasurer, as provided in section five of this Act.

“The following stipulations are hereby declared to be against public policy:

“(a) If the tenant shall receive less than fifty-five *per cent* of the net produce, in case he furnishes the work animals and the farm implements, and the expenses of planting and cultivation are borne equally by said tenant and the landlord.

“(b) If the rental stipulated to be paid by the tenant to the landlord is higher than twenty-five *per cent* of the estimated normal harvest, in case of a contract providing for a fixed rental of the land.

“(c) If the landlord is the owner of the work animal, and the tenant of the farm implements, and the expenses are equally divided between the landlord and the tenant, for the tenant to receive less than fifty *per centum* of the net crop.”

SEC. 3. Sections eight, nine and twenty-two of the same Act are amended to read as follows:

“SEC. 8. *Share basis.* - In the absence of any written agreement to the contrary and when the tenant furnishes the necessary implements and the work animals and defrays all the expenses for planting and cultivation of the land, the crop shall be divided as follows: the tenant shall receive seventy *per cent* of the net produce of the land and the landlord thirty *per cent*, for first-class land, the normal production of which, based on the average yield for the three preceding years, is more than forty cavans of palay per one cavan of seeds; seventy-five *per cent* for the tenant and twenty-five *per cent* for the landlord, in case of land the average normal production of which is not more than forty cavans of palay per one cavan of seeds. In case the landlord furnishes the necessary work animals and farm implements and, likewise, bears all the expenses of planting and cultivation, the landlord shall receive seventy *per cent* and the tenant thirty *per cent* of the crop; but if the landlord furnishes the necessary work animals and farm implements and bears equally with the tenant the expenses of planting and cultivation, the crop shall be divided equally between the parties.

“Expenses for harvesting and threshing shall be deducted from the gross produce. Expenses for the maintenance of irrigation systems within the respective areas shall be for the account of the tenant, but amortizations for the cost of construction of the system itself shall be for the account of the landlord. The expenses for construction and maintenance of privately owned irrigation systems shall be agreed upon between the landlord and tenant, but in case of disagreement, all expenses for the construction of the system shall be for the

account of the landlord, provided that the costs of constructing the distribution canals shall be for the account of the tenant.

“The division shall be made in the same place where the crop has been threshed and each party shall transport his share to his warehouse, unless the contrary is stipulated by the parties.

“SEC. 9. *Auxiliary industry.* - In the absence of any written agreement to the contrary, in case the land is planted to a second crop of rice or other auxiliary crops, the tenant shall receive eighty *per cent* and the landlord twenty *per cent* of the net produced, provided all expenses of production are borne by the tenant.

“Auxiliary industry shall not, however, be construed to include the crops or products raised from a garden, poultry, and such other industries carried on a lot specially provided for the residence of the tenant.

“SEC. 22. *Lot for dwelling.* - The tenant shall be entitled to construct a dwelling on the land cultivated by him, if he so chooses, and once a dwelling is constructed, he shall be entitled to a fixed residential lot of not less than six hundred square meters, but not exceeding one thousand square meters in area, depending upon the availability of suitable land and the area cultivated by the tenant belonging to the landowner, the same to be devoted to the purposes of a garden, poultry and such other minor industries as may be necessary for his livelihood, the products of which shall accrue to the tenants exclusively: *Provided*, That the tenant shall be given forty-five days within which to remove his house from the land of the landlord in the event of the cancellation of the contract of tenancy for any reason: *Provided, further*, That in case he fails to devote the lot allotted to him for the purposes herein mentioned for a period of six months, it shall revert the cultivation of palay.”

SEC. 4. This Act shall take effect immediately, provided that when the landlord has advanced money, seeds or the like to the tenant, and in the cases in which it might be applicable, the landlord shall have a preferential lien on the share of the tenant for the payment of such advances made plus six *per cent* interest *per annum*.

Approved: September 30, 1946

H. No. 3231

REPUBLIC ACT NO. 821

AN ACT TO ESTABLISH AN AGRICULTURAL CREDIT AND COOPERATIVE FINANCING SYSTEM TO ASSIST SMALL FARMERS IN SECURING LIBERAL CREDIT AND TO PROMOTE THE EFFECTIVE GROUPINGS OF FARMERS INTO COOPERATIVE ASSOCIATIONS TO ENABLE THEM TO MARKET EFFICIENTLY THEIR AGRICULTURAL COMMODITIES, AND TO PLACE AGRICULTURE ON A BASIS OF ECONOMIC EQUALITY WITH OTHER INDUSTRIES, AND FOR OTHER PURPOSES

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

DECLARATION OF POLICY

SECTION 1. It is hereby declared to be the policy of Congress to assist small farmers in securing liberal credit and to promote the effective groupings of farmers into cooperative associations to enable them to market efficiently their agricultural commodities, so as to place agriculture (including livestock, poultry and fishing) on a basis of economic equality with other industries, and to improve the standard of living of our people engaged in agriculture—

(1) By granting personal loans to eligible small producers who are actually engaged in agriculture and by encouraging the organization of farmers into effective cooperative associations under their own control for greater unity of effort in productive processing, storage and marketing and by promoting the establishment and financing of a farm marketing system of producer-controlled and producer-owned cooperative associations.

(2) By extending government assistance in financing of facilities which may be required by cooperative associations for the processing, storage and marketing of agricultural produce as well

as for production and other essential services which may be needed for improved rural living.

(3) By promoting the effective merchandising of agricultural commodities in domestic and foreign commerce so that profits of agriculture may be kept by the farmers through the medium of their cooperative associations who may operate the facilities stated above, thus minimizing speculation and preventing inefficient and wasteful methods of distribution.

(4) By encouraging private banks to establish agencies in the rural areas through the concentration of storage of farm produce and by making available to credit institutions comprehensive production and credit information.

(5) By granting the Administration organized in this Act the privilege of rediscounting with the Central Bank of the Philippines, the Rehabilitation Finance Corporation and the Philippine National Bank eligible evidence of indebtedness acquired by it in carrying out its authorized activities.

SEC. 2. To effectuate the foregoing policy, a body corporate to be known as the Agricultural Credit and Cooperative Financing Administration, hereafter referred to as the “Administration”, is hereby created. Said Administration shall execute the powers and functions vested in, and conferred upon it, by this Act only in such manner as will, in the judgment of the Board of Governors, aid to the fullest practicable extent in carrying out the policy above declared.

AGRICULTURAL CREDIT AND COOPERATIVE FINANCING ADMINISTRATION

SEC. 3. *Place of business.*—The Administration shall have its principal place of business in the City of Manila, but may have representatives in other places as are necessary for the proper conduct of its business.

SEC. 4. *General powers.*—The Administration is hereby authorized to adopt, alter, and use a corporate seal which shall be judicially noticed; to make contracts; to lease or own real and personal property, and to sell or otherwise dispose of the same; to sue and be sued; to make an annual report to Congress upon the administration of this Act and any other matter relating to the better effectuation of the policy declared in section one, including recommendations for legislation; to make such regulations as are necessary to execute the functions vested in it by this Act; to appoint and fix the salaries of a secretary and such experts, and subject to the provisions of the civil service laws, such other officers and employees, as are necessary to execute such functions; to make such expenditures for the rent and personal services at the seat of government and elsewhere, for cooperative and law books, periodicals, and books of reference, and for printing and binding as are necessary to execute such functions. Expenditures by the Board shall be allowed and paid upon the presentation of itemized vouchers thereof approved by the Chairman of the Board; and otherwise to do and perform any and all things that may be necessary or proper to carry out the purpose of this Act.

The Administration may acquire and hold such assets and incur such liabilities as result directly from operations authorized by the provisions of this Act, or as are essential to the proper conduct of such operations.

SEC. 5. *Special powers.*—The Administration is authorized and directed:

(1) To establish such regional, provincial and local offices as are considered necessary for the efficient conduct of the Administration's activities.

(2) To formulate policies and procedures with respect to credits to small farmers and the financing and construction as well as the operations of facilities to be financed by the Administration.

(3) To approve such loans as deemed necessary and appropriate and on terms specified by the Board, and to delegate this authority to officials of the Administration.

(4) To establish and operate terminal markets or producers' exchanges equipped with the necessary facilities for adequate storage which will serve as clearing houses for the cooperative associations; these exchanges to be eventually owned jointly by the cooperative associations in either a region or individual province.

(5) To control the issuance of warehouse receipts for the purpose of facilitating liberal production credit and other short-term loans and for the protection of the lending institutions.

(6) To supervise any MSA-PHILCUSA Aid to cooperatives which may be entrusted to it by the joint entities, and to provide continuity of the program of assistance initiated by the said entities for the small farmers.

(7) To take charge of all government activities relating to the promotion, organization, and supervision of cooperative associations in rural areas particularly to promote education in the principles and practices of cooperative production, marketing and credit among farmers.

(8) To encourage diversified agriculture and accumulate all necessary statistics related to agricultural production, marketing, credit and financing.

(9) To float debentures for the purpose of implementing this Act when sufficient revolving funds to undertake the financing program are not provided for by Congress.

SEC. 6. *Board of Governors.—Its composition.*—The powers and functions of the Administration shall be exercised by a Board of Governors to be composed of the Chairman and six members who shall be appointed by the President of the Philippines with the consent of the Commission on Appointments for a term of three

years: *Provided, however,* That the first members appointed under the provisions of this section shall have terms of office two for one, two for two, and two for three years, respectively.

SEC. 7. *Vacancies.*—Any vacancy in the Board of Governors created by the death, resignation, or removal of an appointive member shall be filled by the appointment, as provided for in section six hereof, of a new member to complete the unexpired period of the term of the member concerned.

No member of the Board of Governors shall be required to submit courtesy resignation on occasion of any change in the Presidency of the Philippines.

SEC. 8. *Powers and duties of the Chairman.*—The Chairman of the Board shall be the chief executive of the Administration. He shall be known as Administrator and shall cease only when his term expires, or when he resigns or is removed for cause. The person appointed as Administrator shall be possessed of administrative ability, experience related to agricultural financing and, in general, knowledge of Philippine agriculture. The Administrator's compensation shall be fixed by the President of the Philippines but it shall not be less than eighteen thousand pesos per year. The powers and duties of the Administrator shall be:

(a) To prepare the agenda for the meetings of the Board and to submit for the consideration thereof the policies and measures which he believes to be necessary to carry out the purposes and provisions of this Act;

(b) To execute and administer the policies and measures approved by the Board;

(c) To direct and supervise the operations and internal administration of the Administration. The Chairman may delegate certain of his administrative responsibilities to other officers of the Administration, subject to the rules and regulations of the Board; and

(d) To exercise such other powers as may be vested in him by the Board.

SEC. 9. *Activities of the Administration.*—The activities of the Administration shall be carried out under the supervision of the Administrator through the following administrative officials who will be responsible directly to him:

(a) An Assistant Administrator to assist the Administrator when the volume of activities is sufficient to justify the creation of this position.

(b) A General Counsel to advise the Administrator on legal matters and procedures.

(c) Regional supervisors as determined necessary but not to exceed seven in number.

(d) Such division chiefs as are considered necessary for the efficient conduct of the Administration's activities, except that a cooperative division shall be established to promote cooperatives and administer cooperative loaning activities.

(e) Provincial directors who will be responsible for administering the Administration's activities in rural communities. Supervisory jurisdiction over provincial directors may be delegated by the Administrator to the regional supervisors to the extent which he deems necessary for the efficient accomplishment of the Administration's activities.

The office of a provincial director shall be established in the capital of the province to which such official is assigned. Contract with loan applicants and borrowers will be maintained through loan supervisors and assistant loan supervisors as authorized by the Administration.

(f) The Secretary of Justice shall be the *ex officio* legal adviser of the Administration. He shall appoint a representative who shall

be the General Counsel of the Administration. Any assistant legal counsel and other personnel shall be appointed by the Board. All salary and operating expenses of the General Counsel will be fixed and paid by the Administration.

(g) The Auditor General shall be the ex officio Auditor in charge of the auditing office of the Administration. The Auditor General shall, upon the recommendation of the Auditor of the Administration, appoint or remove personnel of the auditing office. The operating expense of the auditing office and the salaries and traveling expenses of the officials and employees of such office shall be fixed by the Board and paid by the Administration. The representative of the Auditor shall render a quarterly report on the financial condition of the Administration to the President of the Philippines, the Secretary of Finance, the Auditor General and the Board of Governors. The report shall contain a statement of the resources and liabilities including earnings and expenses, the amount of paid-up capital stock, surplus, reserve and profits, as well as losses, bad debts and such other facts which the Auditor considers necessary to accurately describe the financial condition of the Administration.

SEC. 10. *Revolving fund.*—(a) There is hereby authorized to be appropriated the sum of one hundred million pesos which shall be made available by the Congress as soon as practicable after the approval of this Act and shall constitute a revolving fund to be administered by the Administration as provided in this Act.

(b) Any sums or assets which MSA-PHILCUSA may assign to the Administration shall be constituted as part of this revolving fund except when it is provided that said sums or assets are to be used for research or operating expenses.

(c) The President of the Philippines is empowered to allocate and transfer to the Administration any unallocated unexpended collections made by bureaus under the Department of Agriculture and Natural Resources, from the sale and lease of public lands, abaca inspection fees, forest charges and others.

(d) The Administration, subject to the approval of the President of the Philippines, is authorized to float debentures to augment its revolving fund when Congress shall fail to make available adequate sums: *Provided, however,* That the aggregate amounts procured from the sources mentioned in this section shall not exceed total of one hundred million pesos.

SEC. 11. *Loaning activities.*—Loaning activities of the Administration shall be directed towards:

(a) Stimulating the development and operation of farmers' cooperatives.

(b) Minimizing the lack of credit as a limiting factor in the expansion of Philippine agriculture.

(c) Freeing farmers from the economic and social domination caused by the unreasonable conditions and excessive charges imposed by money lenders for the use of capital.

(d) Establishing an official policy with respect to agricultural credit which will be flexible enough to permit private financing institutions sufficient latitude in their operations to participate in serving those borrowers having the economic stability necessary for the use of such credit.

SEC. 12. *Definitions.*—For purposes relating to the implementation of this Act, the following definitions shall apply:

(a) A farmers cooperative association shall be a voluntary business organization among farmers (producers of agricultural products including tenants and landlords) established for the purpose of marketing farm products and/or buying farm supplies and implements collectively for the members' direct benefit. It is governed according to the cooperative principles of one-man-one-vote basis, limited interest on capital and the savings apportioned among the members on the basis of patronage.

(b) The term “small farmer” shall mean an individual person who exclusively uses the labor available from within his family, and is actually engaged in agriculture.

SEC. 13. *Credit to small farmers.*—Credit extended to small farmers, either with titles or no titles over their lands, whether tenants or part owners, should be based upon the anticipated productive capacity of farmers insofar as repayment probabilities are concerned: *Provided*, however, That the amount does not exceed two thousand pesos. Such loans may be granted for the purchase of fertilizer, seed, feed, work animals and corresponding tillage equipment, poultry, livestock and such other items specified by regulations as are directly related to the production of crops and livestock. The ability of such a borrower to provide security in the form of land or other tangible securities should not be the primary deciding factor in approving or disapproving a loan. Instead, the size of the loans should be predicated upon his production with other security being considered as supplemental. In instances where credit is extended for items which are not consumed in their use, such items should be pledged as security, but in such cases approval of the loan should be dependent upon the borrower’s productive capacity after receiving the item rather than upon the return which can be anticipated in the event of forced sale of the item. Loans made to farmers should be conditioned upon compliance by them with those proven practices which are reasonably within their capacity to carry out and will result in the maximum income and production from such farming units. The supervision necessary to insure full implementation of this policy will be maintained by the Administration.

SEC. 14. *Terms of loans.*—The terms of loans made to farmers should be adjusted to the needs of the borrower with special attention being given to the following:

(a) Making the duration of the loan consistent with the period of time necessary to permit repayment by the borrower from his production.

(b) Adjusting the terms of repayment to the borrower's income from his production. Where necessary the repayment of the loan should be amortized over a period of time which will permit installment payments which are within the borrower's income.

(c) Granting extensions in the time for repayment when damages and destruction caused by insects, disease, weather and other causes beyond the power of the borrower to control occur.

(d) Since the production of the borrower must serve as the primary security, such production should be pledged as security with appropriate safeguards being taken to insure against unauthorized disposition.

(e) When the Administration considers such to be necessary to insure repayment, it may require a borrower to enter into a marketing agreement covering the terms which must be complied with, including notice to the Administration and manner of disposition of the produce covered by the contract. The duration of such contract shall be terminated when the borrower has complied with his obligation to the Administration.

(f) In the event of any breach or threatened breach of a marketing contract by a borrower, the Administration shall be entitled to an injunction and a decree of specific performance. Also, upon filing a verified complaint showing a breach or threatened breach, the Administration shall be entitled to a temporary restraining order against such borrower.

SEC. 15. *Loan to cooperatives.*—Loan shall be made to any cooperative association, if in the judgment of the board of directors of the association concerned, the loan is in furtherance of the policy declared in section one, and the cooperative association applying for the loan has an organization and management, and business policies, of such character as to insure the reasonable safety of the loan and the furtherance of such policy. No cooperative association shall be entitled to apply for a loan unless it has been registered with the Securities and Exchange Commission. The provision of

existing cooperative laws regarding minimum number of members shall apply to cooperative associations mentioned in this Act.

Loans for the construction or acquisition by purchase of such facilities shall be subject to the following limitations:

(a) Loans for the construction or acquisition by purchase of such facilities may be made in an amount equivalent to one hundred *per centum* of the value of the facilities to be constructed: *Provided, however,* That the facilities meet the following requirements:

(1) All major parts must be completely of steel or concrete materials;

(2) If ten annual amortizations will fully pay back for the loans.

(b) Loans for facilities not meeting the above-mentioned requirements may be made, provided the amount is not in excess of eighty *per centum* of the value of the facilities, to be constructed or purchased.

(c) No loan for the purchase of facilities shall be made unless the board of directors of the association concerned finds that the purchase price to be paid is reasonable.

(d) No loan for the construction or purchase of such facilities shall be made unless the board of directors of the cooperative association finds that there are not available suitable existing facilities that will furnish their services to the cooperative association at reasonable rates, and in addition to the preceding limitations, no loan shall be made unless the said board finds that suitable facilities are not available for purchase or lease at a reasonable price or rent.

SEC. 16. Interest in all kinds of loans shall not be more than eight *per centum per annum*. Loans to any cooperative association shall be made upon the terms specified in this Act and upon such other terms not inconsistent therewith and upon such security the

Board of Governors may deem necessary. Loans may be subjected to a five *per centum* insurance fee which is to be paid at the time the loan is granted.

SEC. 17. Personal short term loans to members in good standing with cooperatives may be granted by the association from funds which it may receive in advance from the Administration for the said purpose; such loans may be granted against warehouse receipt of the Cooperative Association to the extent of eighty *per centum* of the market value of the stored produce; loans upon the security of expected production from the current crop to the extent of sixty per cent of the value of expected yield: *Provided, however,* That no loan shall be granted on any production estimated to exceed the applicant's previous year's stored crop with the Cooperative by more than fifty *per centum*.

SEC. 18. *Transfer of functions, personnel, and equipment of the Cooperatives Administration Office.*—All the powers vested in and the duties conferred upon the Cooperatives Administration Office by Commonwealth Act Numbered Five hundred and sixty-five, as amended by Commonwealth Act Numbered Seven hundred and thirteen, relative to the promotion, organization and supervision of Cooperative Marketing Associations as authorized by Act Numbered Three thousand four hundred and twenty-five and such number of personnel equipment as are now used and utilized in the promotion, organization and supervision of said cooperative marketing associations by the Cooperatives Administration Office and the unexpended balance of the funds provided for in Commonwealth Act Numbered Seven hundred and thirteen and Republic Act Numbered Five hundred and eighty-three, are hereby absorbed by, and transferred to the Agricultural Credit and Cooperative Financing Administration.

GENERAL PROVISIONS

SEC. 19. (a) Obligations issued by the Administration in accordance with the authority of paragraph (2) of section five of this Act shall be secured by the assets of the Administration including

all securities held by it under the provisions of this Act. These obligations shall be redeemable at the option of the Administration at or before maturity and in such manner as may be stipulated therein and shall bear such rate of interest as may be fixed by the Administration. The Administration shall provide for appropriate reserves for the redemption or retirement of such obligations. Obligations issued and offered for sale by the Administration may be offered at such price or prices as the Administration may determine. The said obligations shall and are hereby fully and unconditionally guaranteed both as to principal and interest by the Government of the Republic of the Philippines, and such guaranty shall be expressed on the face thereof.

(b) In the event that the Administration shall be unable to pay debentures, bonds, collaterals, notes or such other obligations issued by it, the Secretary of Finance shall pay the amount thereof which is hereby appropriated out of any funds in the National Treasury not otherwise appropriated and thereupon, to the extent of the amounts so paid, the Government of the Republic of the Philippines shall succeed to all of the rights of the holders of such bonds, debentures, notes, collaterals or other obligations.

SEC. 20. All notes, bonds, debentures, and other obligations issued by the Administration shall be exempt from all taxation both as to principal and interest, except inheritance and gift taxes.

SEC. 21. Upon the request of the Board, the Central Bank of the Philippines and Rehabilitation Finance Corporation shall lend or provide technical assistance needed by the Administration.

SEC. 22. Any justice of the peace, in his capacity as notary ex officio, shall render service free of charge to any person applying for a loan under this Act not exceeding five hundred pesos either in administering the oath or in the acknowledgment of instruments relating to such loan.

SEC. 23. Any register of deeds shall accept for registration, free of charge, any instrument relative to a loan made under this Act and which does not exceed five hundred pesos.

PENAL PROVISIONS

SEC. 24. Any justice of the peace or register of deeds who shall demand or accept directly or indirectly, any gift, fee, commission or other form of compensation in connection with the service required to be performed by the said justice of the peace as provided in section twenty-two and by the said registry official as provided in section twenty-three of this Act, shall be punished by a fine not exceeding one thousand pesos or by imprisonment for not more than one year, or both, at the discretion of the court.

SEC. 25. No officer or employee of the Administration nor any government official who may exercise executive or supervisory authority over the said Administration, either directly or indirectly, for himself or as the representative or agent of others, shall become a guarantor, indorser, or surety for loans from the said Administration to others. Any such officer or employee who violates the provisions of this section shall be immediately removed by competent authority and said officer or employee shall be punished by imprisonment for not less than one year nor exceeding five years and by a fine of not less than one thousand nor more than five thousand pesos.

SEC. 26. No fee, commission, gift, or charge of any kind shall be exacted, demanded, or paid, for obtaining loans from the Administration, and any officer, employee, or agent of the Administration exacting, demanding, or receiving any fee for service in obtaining a loan, shall be punished by a fine of not less than one thousand nor more than three thousand pesos and imprisonment for not less than one year nor more than three years.

SEC. 27. Any person who, for the purpose of obtaining, renewing, or increasing a loan or the extension of the period thereof in his own or another's behalf, should give false information or cause, through his intrigue or machination, the existence and

production of any false information with regard to the identity, situation, productivity, or value of the security, or with regard to a point which would affect the granting or denial of the loan, whether the latter has been consummated or not, and every officer or employee of the Administration who, through connivance or negligence, should allow by action or omission such false information to pass unnoticed, thereby causing damage to the Administration or exposing the latter to the danger of suffering such damage, shall be punished with imprisonment of not less than three months or more than three years, and a fine of not less than the amount of the loan obtained or applied for, nor more than three times such amount.

SEC. 28. It shall be unlawful for any member, officer, or employee of the Administration to speculate, directly or indirectly, in any agricultural commodity or product thereof, or in contracts relating thereto, or in the stock of membership interests of any association or corporation engaged in handling, processing, or disposing of any such commodity or product. Any such person violating this section shall, upon conviction thereof, be fined not more than twenty thousand pesos, or imprisoned not more than ten years, or both.

SEC. 29. It shall be unlawful for any director, officer, employee or member of any cooperative association, clearing house association, or commodity committee, or for any person acting on behalf of any such association or committee, to which or to whom information has been imparted in confidence by the Board of Governors of the Administration to disclose such information in violation of any regulation of the Board. Any director, officer, employee, or member of such association or committee violating this section, shall be fined not more than ten thousand pesos or imprisoned for not more than five years, or both.

MISCELLANEOUS PROVISIONS

SEC. 30. If any provision of this Act is declared unconstitutional, or the applicability thereof to any person, circumstance, commodity or class of transactions with respect to any commodity is held invalid,

the validity of the remainder of the Act and the applicability of such provision to other persons, circumstances, commodities, and classes of transactions shall not be affected thereby.

SEC. 31. All Acts, parts of Acts, and any special charters, or parts thereof, of the banking and financial institutions inconsistent herewith are hereby repealed.

SEC. 32. This Act shall take effect upon its approval.

Approved: August 14, 1952

S. No. 125
H. No. 2254

REPUBLIC ACT NO. 1160

AN ACT TO FURTHER IMPLEMENT THE FREE DISTRIBUTION OF AGRICULTURAL LANDS OF THE PUBLIC DOMAIN AS PROVIDED FOR IN COMMONWEALTH ACT NUMBERED SIX HUNDRED AND NINETY-ONE, AS AMENDED, TO ABOLISH THE LAND SETTLEMENT AND DEVELOPMENT CORPORATION CREATED UNDER EXECUTIVE ORDER NUMBERED THREE HUNDRED AND FIFTY-FIVE, DATED OCTOBER TWENTY-THREE, NINETEEN HUNDRED AND FIFTY, AND TO CREATE IN ITS PLACE THE NATIONAL RESETTLEMENT AND REHABILITATION ADMINISTRATION, AND FOR OTHER PURPOSES

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

SECTION 1. It is hereby declared to be the policy of Congress to help speed up the free distribution of agricultural lands of the public domain to landless tenants and farm workers who are citizens of the Philippines and to encourage migration to sparsely populated regions pursuant to the fundamental policy of the government to promote the level of production, employment and living standards of the people.

SEC. 2. *National Resettlement and Rehabilitation Administration.*—In furtherance of the above, policy there is hereby created a corporation to be known as National Resettlement and Rehabilitation Administration hereafter referred to as “NARRA” to perform under the supervision and control of the President of the Philippines, through the Office of Economic Coordinator all the duties and functions of the Bureau of Lands as provided in Commonwealth Act Numbered Six hundred and ninety-one as amended, and such other duties as hereinafter specified in this Act.

It shall be headed by a General Manager and an Assistant General Manager who shall be appointed as hereinafter provided.

SEC. 3. The NARRA shall have at least three divisions, to wit: (1) Settler Selection and Screening, (2) Transportation and Supplies, and (3) Settlement Assistance and Community Work. The General Manager shall submit at the beginning of each fiscal year, but not later than July thirty-one, a program of activities for the whole fiscal year together with the budget of expenditures to support such a program for the final approval of the President of the Philippines.

POWERS

SEC. 4. *General powers.*—NARRA is hereby authorized to adopt, alter, and use an official seal; to make contracts, to lease or own real and personal property, and to sell or otherwise dispose of the same; to sue and be sued; and to make such regulations as are necessary to execute the functions vested in it by this Act.

SEC. 5. *Special powers.*—NARRA is authorized:

(1) To give land, subject to the qualifications, requirements and conditions prescribed by the Public Land Act and under the terms and conditions as may be defined by the Board of Directors, to landless citizens of the Philippines who need, deserve and are capable of tilling the land;

(2) To facilitate the settlement, acquisition and cultivation of agricultural lands;

(3) To acquire by purchase such agricultural portions of landed estates as may be directed by the President of the Philippines for the prosecution of the policy stated in section one of this Act;

(4) To reclaim swamps and marshes, obtain title thereto where feasible, and to support them into agricultural lands for settlement;

(5) To promote community life in the settlements;

(6) To borrow money from any credit institution for any of the purposes herein provided;

(7) To survey, subdivide and set aside lots or areas of such lands for farming, townsites, roads, parks, government centers, and other public and civic improvements, and to dispose of farm lands and townsite lots to persons qualified to the extent of areas authorized under the Constitution and the Public Land Act, subject to such other qualifications and to prices, terms and conditions as may be prescribed by the Board of Directors;

(8) To secure for the settlers from other government agencies such assistance and facilities as may be necessary to accelerate development, cultivation and electrification of settlements; construction of irrigation systems; institution of credit facilities, enhancement of cottage industries; and establishment of processing plants, warehouses and marketing facilities; and

(9) To do such other things and to transact all such business directly or indirectly necessary, incidental or conducive to the attainment of the policy enunciated in this Act

SEC. 6. In addition to the functions and duties specified and to implement the same properly, the NARRA shall undertake the following activities:

(1) To select and screen applicants for allocation within the areas set aside for purposes of settlement in the public domain who (a) are *bona fide* farmers in the highly settled areas, (b) do not own any land with an area of five hectares or more, (c) have not owned any homestead, (d) have not secured any homestead rights from any homesteader, (e) are capable of discharging their responsibilities as settlers, and (f) shall work the land in the settlement areas on the basis of the family-operated, family-type farms: *Provided*, That in selecting applicants the following order or priority shall be observed: (a) actual *bona fide* tenants or occupants of the land; (b) surrendered

dissidents, who take an oath and show sincere desire, to support the Constitution of the Philippines; (c) graduates of agricultural schools and colleges, (d) trainees who have completed military training; (e) veterans and members of guerrilla organizations; and (f) other applicants possessing the qualifications required herein.

(2) To assist settlers in transporting themselves, their belongings, work animals and farm equipment, if any, from the communities from which they are migrating to the settlement areas reserved for the purpose, and for subsistence necessary until credit can be provided by the Agricultural Credit and Cooperative Financing Administration (ACCFA) under section thirteen of this Act, or by any other credit institution by loaning to them the full amount required for such purposes. These loans shall be non-interest bearing, a lien upon the land, and shall be amortized over a period of ten years, payable annually beginning with the end of the third year after the date of arrival in the settlement area, subject to the right of the borrower to pay in full at any time prior to the maturity of the loan;

(3) To assist the said settlers in securing equipment, supplies and materials needed in the settlement areas at the most advantageous prices or terms, and, if requested, to assist the cooperative associations of the new settlers in securing the most advantageous prices or terms on farm implements and supplies needed by the cooperative associations and their members;

(4) To help provide housing and other accommodations for the new settlers in the settlement areas upon arrival by locating them in properly surveyed and subdivided lots reserved for the purpose, to help organize community activities that the new settlers require upon arrival in the new settlement, and to cooperate with the agricultural extension service, the Bureau of Health, the Bureau of Public Schools and other pertinent agencies of the Government, in providing the services for the proper establishment of community facilities as well as the organization of collective efforts essential to development in the new settlement areas.

(5) To submit its annual report and balance sheets to the President and the Congress of the Philippines, as provided in sections five hundred and seventy-four to five hundred and seventy-seven of the Administrative Code;

(6) To appoint and fix the number and salaries, upon recommendation of the Office of Economic Coordination and with the approval of the President of the Philippines and subject to Civil Service Law and Rules and the salary law, of such subordinate personnel as may be necessary for the proper discharge of its duties and functions and upon recommendation of the Office of Economic Coordination and with the approval of the President, suspend, remove or otherwise discipline, any of its subordinate employees, and

(7) To perform such other related duties as may be assigned to it by the President of the Philippines from time to time.

SEC. 7. Board of Directors—Its Compositions, tenure of office and meetings.—The powers and functions of NARRA shall be exercised by a Board of Directors to be composed of a Chairman and five members. They shall be appointed by the President of the Philippines with the consent of the Commission on Appointments for a term of three years. Any person chosen to fill a vacancy shall serve only for the unexpired term of the member whom he succeeds.

The Board shall hold regular meetings and such number of special meetings as may be called by the Chairman or any three members from time to time; *Provided, however,* That the total number of meetings of the Board shall not be more than four a month. The Chairman and the members shall each receive a per diem of twenty-five pesos for every meeting actually intended.

SEC. 8. Powers and duties of the Board of Directors.—The Board of Directors shall have the following powers and duties:

(1) To prescribe, amend and repeal by-laws, rules and regulations governing the manner in which the general business

of NARRA may be exercised, including provisions regarding subdivision of lands into small farm lots, distribution thereof, initial aid to settlers and manner of payment of such lots, and provisions for the formation of such committee or committees as the General Manager may deem necessary to facilitate the business of the NARRA, and to expedite the disposition of, and the issuance of titles, over said farm lots of contemplated in section five;

(2) To appoint and fix the term of office of the General Manager, and Assistant General Manager, whose compensation shall be twelve thousand pesos per annum for the General Manager, and nine thousand pesos per annum for the Assistant General Manager, subject to the recommendation of the Office of Economic Coordination and the approval of the President of the Philippines, and to appoint and fix the compensation of a Secretary of the Board and such other officers of the Corporation as may be needed. The Board, by majority vote of all the members, may for cause, upon recommendation of the Office of Economic Coordination and with the approval of the President of the Philippines, suspend and/or remove the General Manager and/or the Assistant General Manager; and

(3) To approve the annual budget and such supplemental budgets of NARRA which may be submitted to it by the General Manager from time to time.

SEC. 9. NARRA shall be the custodian and administrator of public lands reserved or may hereafter be reserved by the President of the Philippines for settlement, all lands actually reserved for the Land Settlement and Development Corporation (LASEDECO), and the agricultural lands surveyed and subdivided under Commonwealth Act Numbered Six hundred ninety-one.

SEC. 10. The Land Settlement and Development Corporation created under Executive Order Numbered Three hundred fifty-five, dated October twenty-three, nineteen hundred and fifty, known for short as LASEDESCO, is hereby abolished, and all its obligations under said Executive Order, except its commercial accounts which are to be paid as hereinafter provided, are hereby transferred to the

Treasury of the Philippines to be amortized over a period of fifteen years subject to the availability of funds of the Government.

All assets of the LASEDECO, including farm machinery and equipment, shall be turned over to a Board of Liquidators and shall be sold at public auction, the proceeds thereof to be used in paying off its accounts with commercial firms and the net proceeds to be transferred to the Agricultural Credit and Cooperative Financing Administration (ACCFA) for loan to settlers or cooperative organizations of settlers as provided for under this Act: *Provided, however,* That such buildings, equipment, and machinery as may be needed the settlers' cooperatives either in the area where such property is located or in areas being settled under the provisions of this Act may be transferred to the said cooperatives at an appraised value fixed by the Board of Liquidators.

SEC. 11. To carry out of the purposes of this Act, there is hereby appropriated for the "Revolving Fund of the Colonists", as provided for in Commonwealth Act Numbered Six hundred and ninety-one, the sum of five million pesos for the fiscal year 1954-1955 out of any funds in the National Treasury not otherwise appropriated, to be spent by the NARRA upon recommendation of the Office of Economic Coordination and under the supervision and authority of the President of the Philippines for the activities prescribed herein. A sum of not less than eight million pesos for every fiscal year thereafter, for a period of ten years, shall be included in the General Appropriations Acts for the subsequent fiscal years for the said "Revolving Fund of the Colonists" to carry out the purposes of this Act.

SEC. 12. All public agricultural lands referred to in section fourteen of Executive Order Numbered Three hundred and fifty-five, dated October Twenty-three, nineteen hundred and fifty, are hereby transferred to the jurisdiction of the NARRA to be disposed of in accordance with the provisions of this Act: *Provided,* That the settlement of the agricultural lands so transferred under this section by voluntary settlers who do not receive any direct assistance under

the provisions of this Act or by duly qualified homestead applicants shall not be precluded nor obstructed.

SEC. 13. In addition to the financial aid that may be given to settlers from the “Revolving Fund of the Colonists”, the Agricultural Credit and Cooperative Financing Administration (ACCFA) created under Republic Act Numbered Eight Hundred and twenty-one is hereby authorized to give loans or financial assistance to the settlers or settlers’ cooperatives to help establish themselves as independent farmers following their arrival in the settlement areas: *Provided, however,* That it may require any borrower to become a *bona fide* member of a cooperative association in the settlement areas as a condition for giving such financial aid or loan. Such loans shall be subject to the conditions specified in section six, subsection two, of this Act, with the modification that the lien shall be on the borrower’s produce and that the amortization period shall begin one year after the date of the loan.

TRANSITORY AND SPECIAL PROVISIONS

SEC. 14. The officials, employees and laborers of the LASEDECO who may be separated from the service by virtue hereof and who are entitled to retire under Republic Act Numbered Six hundred sixty shall be so retired upon the payment of the obligations of the LASEDECO to the Government Service Insurance System subsisting under said account on the date of the approval hereof. Those who may not be retired shall be entitled to thirty days’ separation pay, the money value of earned vacation and sick leaves, and gratuity which shall be paid in one lump sum equivalent to one month’s salary for every year of satisfactory service rendered in any branch of the government and government agencies and the instrumentalities on the basis of the highest salary received by them; *Provided,* That any of said officials, employees or laborers who has rendered less than one year of service shall be paid in one lump sum a gratuity equivalent to one-half of one months’ salary: *And provided, further,* That in case of subsequent reinstatement in the Government service or in any Government-owned or controlled corporation of any such official, employee or laborer who has been

paid gratuity hereunder, he shall refund to the National Government the value of the gratuity which he would not have as yet received if it had been payable in monthly installments.

SEC. 15. Subject to the provisions of section ten hereof, the President of the Philippines shall provide by executive order for the liquidation of the assets and liabilities of LASEDECO and is hereby authorized to transfer to NARRA such properties, equipment, assets and rights of LASEDECO as may be needed by the former in carrying out the purposes and objectives of this Act.

SEC. 16. Any provision of law to the contrary notwithstanding, all surveyed portions of the public agricultural lands heretofore transferred or reserved for the administration of NARRA under this Act and of those which may hereafter be transferred by the President of the Philippines to NARRA for the purposes of this Act, shall be ceded to NARRA, and the President of the Philippines shall from time to time cause the issuance of patents or other deeds transferring title to such lands to NARRA in accordance with the provisions of the Public Land Act and such rules and regulations as may be promulgated to facilitate the transfer of title to NARRA.

PENAL PROVISIONS

SEC. 17. No officer or employee of NARRA shall be permitted in any manner to acquire, directly or indirectly, any land within the land settlement projects of NARRA. Any such officer or employee who violates the provisions of this section shall immediately be removed by competent authority and said officer or employee shall be punished by imprisonment for not less than one year nor exceeding five years and by a fine of not less than one thousand nor more than five thousand pesos. Should a dummy be used to violate the provisions of this section, the same penalty shall be applied to the dummy.

SEC. 18. No official or employee of the Corporation shall directly or indirectly be financially interested in any contract with the corporation or in any special privilege granted by said corporation

during his term of office. Any violation of this prohibition shall be punished by dismissal from office and by a fine of not more than five thousand pesos and imprisonment of not more than five years.

MISCELLANEOUS PROVISIONS

SEC. 19. If any provision of this Act is declared unconstitutional, or the applicability thereof to any person, circumstance, or transaction is held invalid, the validity of the remainder of the Act and the applicability of such provision to other persons, circumstances, and transactions shall not be affected thereby.

SEC. 20. All Act, parts of Act, and any special charters, or parts thereof, inconsistent herewith are hereby repealed.

SEC. 21. This Act shall take effect upon its approval.

Approved, June 18, 1954.

S. No. 98
H. No. 2398

REPUBLIC ACT NO. 1199

AN ACT TO GOVERN THE RELATIONS BETWEEN LANDHOLDERS AND TENANTS OF AGRICULTURAL LANDS (LEASEHOLD AND SHARE TENANCY)

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

PART I

GENERAL PROVISIONS

SECTION 1. *Title.*—This Act shall be known as the
“Agricultural Tenancy Act of the Philippines.”

SEC. 2. *Purpose.*—It is the purpose of this Act to establish agricultural tenancy relations between landholders tenants upon the principle of social justice; to afford adequate protection to the rights of both tenants and landholders; to insure an equitable division of the produce and income derived from the land; to provide tenant-farmers with incentives to greater and more efficient agricultural production; to bolster their economic position and to encourage their participation in the development of peaceful, vigorous and democratic rural communities.

SEC. 3. *Agricultural Tenancy Defined.*—Agricultural tenancy is the physical possession by a person of land devoted to agriculture belonging to, or legally possessed by, another for the purpose of production through the labor of the former and of the members of his immediate farm household, in consideration of which the former agrees to share the harvest with the latter, or to pay a price certain or ascertainable, either in produce or in money, or in both.

SEC. 4. *Systems of Agricultural Tenancy; Their Definitions.*—Agricultural tenancy is classified into leasehold tenancy and share tenancy.

Share tenancy exists whenever two persons agree on a joint undertaking for agricultural production wherein one party furnishes the land and the other his labor, with either or both contributing any one or several of the items of, production, the tenant cultivating the land personally with the aid of labor available from members of his immediate farm household, and the produce thereof to be divided between the landholder and the tenant in proportion to their respective contributions.

Leasehold tenancy exists when a person who, either personally or with the aid of labor available from members of his immediate farm household, undertakes to cultivate a piece of agricultural land susceptible of cultivation by a single person together with members of his immediate farm household, belonging to or legally possessed by, another in consideration of a price certain or ascertainable to be paid by the person cultivating the land either in percentage of the production or in a fixed amount in money, or in both.

SEC. 5. *Definitions of Terms.* —As used in this Act:

(a) A *tenant* shall mean a person who, himself and with the aid available from within his immediate farm household, cultivates the land belonging to, or possessed by, another, with the latter's consent for purposes of production, sharing the produce with the landholder under the share tenancy system, or paying to the landholder a price certain or ascertainable in produce or in money or both, under the leasehold tenancy system.

(b) A *landholder* shall mean a person, natural or juridical, who, either as owner, lessee, usufructuary, or legal possessor, lets or grants to another the use or cultivation of his land for a consideration either in shares under the share tenancy system, or a price certain or ascertainable under the leasehold tenancy system.

(c) *Agricultural year* is the period of time necessary for the raising of seasonal agricultural products, including the preparation of the land, and the sowing, planting and harvesting of the crop: *Provided, however*, That in the case of coconuts, citrus, coffee, ramie, and other crops where more than one harvest is obtained from one planting, the words “agricultural year” shall mean the period of time from the preparation of land to the first harvest and thereafter from harvest to harvest. In both cases, the period of time may be shorter or longer than a calendar year.

(d) *Farm implements* include hand tools or machines ordinarily employed in a farm enterprise.

(e) *Work animals* include animals ordinarily employed in a farm enterprise. The words include carabaos, horses, bullocks, etc.

(f) *Pulling of the seedlings* is a phase of farm work in which seedlings are uprooted from the seed beds immediately before transplanting.

(g) *Final harrowing* is the last stage in pulverizing the soil into fine particles in readying the field for the transplanting of the seedlings.

(h) *Reaping* is the cutting of rice stalks.

(i) *Harvesting* shall mean the gathering of the fruit produce of a crop other than rice.

(j) *Piling into small stacks* used as a term in rice share tenancy shall mean the piling into several small stacks within the tenant’s holdings of reaped and bundled stalk containing the grain, preparatory to their transportation to the place designated for their threshing.

(k) *Piling into big stacks* used as a term in rice share tenancy shall mean the piling into one huge stack of the several small stacks of reaped and bundled stalks containing grain, which constitute

the entire harvest of the tenant from his holdings, preparatory to threshing.

(l) *Proven farm practices* include those sound farming practices which have attained general acceptance through usage or are officially recommended by the Department of Agriculture and Natural Resources.

(m) *Fair rental value* is an amount of money not in excess of allowable depreciation plus six per cent interest *per annum* on the investment computed at its market value: *Provided, however,* That the fair rental value for the work animal or animals and farm implements required to produce the crop shall not exceed five per cent of the gross harvest for the animal or animals and five per cent for implements: *And provided, further,* That whenever a tractor or power and the necessary implements are utilized interchangeably with work animals in the same holding during the same agricultural year the rental shall not exceed ten per cent for the combined services.

(n) *Immediately after* as used in this Act shall be inclusive of the last day of harvesting, threshing or processing and the next five days thereafter.

(o) *Immediate farm household* includes the members of the family of the tenant, and such other person or persona whether related to the tenant or not, who are dependent upon him for support and who usually help him operate the farm enterprise.

(p) *Incapacity* means any cause or circumstance which prevents the tenant from fulfilling his contractual obligations and those imposed by this Act.

(q) *Inspect* means to examine and observe. However, such examinations and observations shall not include any acts of intimidation or coercion.

(r) *Auxiliary crop* is any product raised other than the crop to which the cultivation of the land is principally devoted; and excluding the produce of the lot referred to in Section twenty-six.

SEC. 6. *Tenancy Relationship; Its Definition.*—Tenancy relationship is a juridical tie which arises between a landholder and a tenant once they agree, expressly or impliedly, to undertake jointly the cultivation of land belonging to the former, either under the share tenancy or leasehold tenancy system, as a result of which relationship the tenant acquires the right to continue working on and cultivating the land, until and unless he is dispossessed of his holdings for any of the just causes enumerated in Section fifty or the relationship is terminated in accordance with Section nine.

SEC. 7. *Tenancy Relationship; How Established; Security of Tenure.*—Tenancy relationship may be established either verbally or in writing, expressly or impliedly. Once such relationship is established, the tenant shall be entitled to security of tenure as hereinafter provided.

SEC. 8. *Limitation of Relation.*—The relation of landholder and tenant shall be limited to the person who furnishes land, either as owner, lessee, usufructuary, or legal assessor, and to the person who actually works the land himself with the aid of labor available from within his immediate farm household.

SEC. 9. *Severance of Relationship.*—The tenancy relationship is extinguished by the voluntary surrender of the land by, or the death or incapacity of, the tenant, but his heirs or the members of his immediate farm household may continue to work the land until the close of the agricultural year. The expiration of the period of the contract as fixed by the parties, and the sale or alienation of the land do not of themselves extinguish the relationship. In the latter case, the purchaser or transferee shall assume the rights and obligations of the former landholder in relation to the tenant. In case of death of the landholder, his heir or heirs shall likewise assume his rights and obligations.

SEC. 10. *Contracts; Nature and Continuity of Conditions.*—The terms and conditions of tenancy contracts stipulated by the parties or as provided by law, shall be understood to continue until modified by the parties. Modifications of the terms and conditions of contracts shall not prejudice the right of the tenant to the security of his tenure on the land as determined in Sections six, seven, and forty-nine.

SEC. 11. *Freedom to Contract in General.*—The landholder and the tenant shall be free to enter into any or all kinds of tenancy contract, as long as they are not contrary to law, morals or public policy. Except in case of fraud, error, force, intimidation or undue influence, when such contract is reduced to writing and registered as hereinafter provided, the latter shall be conclusive evidence of what has been agreed upon between the contracting parties, if not denounced or impugned within thirty days after its registration.

Said contract shall be contrary to law, morals and public policy:

A. In Share Tenancy

(a) If the tenant is to receive less than the corresponding share for the different contributions he made to the production of the farm as hereinafter provided.

(b) If it is stipulated that the tenant or any member of his immediate farm household shall without compensation perform any work or render any service not connected with the tenant's duties and obligations provided under this Act.

B. In Leasehold Tenancy

(a) If the tenant-lessee is to pay to the landholder-lessor, as a consideration for the use of the land, an amount in excess of that hereinafter provided for the kind and class of land involved.

(b) If the tenant-lessee is to pay the landholder-lessor consideration in excess of the amount prescribed as fair rental value, as determined pursuant to the provisions of this Act, for the use of work animals, services and/or implements belonging to the landholder-lessor, in case it is agreed between the parties that the latter shall furnish any or all of these items of production.

(c) If it is stipulated that, as a condition precedent to the commencement or continuance of the lease, the tenant-lessee shall rent work animals, services or farm implements, or shall make use of any store or services operated by the landholder-lessor or any other person, or that the landholder-lessor may impose fines, deductions and/or assessments, or that the tenant-lessee shall, without compensation, perform any work or render any service not connected with the tenant's duties and obligations provided under this Act.

SEC. 12. *Form and Registration of Contract.*—A contract of tenancy in writing, in order to be conclusive as evidence, shall be drawn in quadruplicate in the language or dialect known to all the parties thereto and signed or thumb-marked both by the landholder or his authorized representative, and the tenant himself, before two witnesses, one to be chosen by each party. If any of the parties does not know how to read, one of the witnesses, to be chosen by him, shall read the contents of the document to him. Each of the contracting parties shall retain a copy of the contract and the third and fourth copies shall be delivered to the municipal treasurer of the municipality where the land which is the subject-matter of the contract is located, who shall file and register the third copy in his office and forward the fourth copy to the court: *Provided*, That in order that a tenancy contract may be registered, it shall be the duty of the municipal treasurer to require the presentation of the copies of the landholder tenant, respectively, and to place an annotation on each copy of the fact of registration in his office, stating the date, time and place of registration as well as the entry or registration number.

The form of contract shall be uniform and shall be prepared and furnished by the court. The contracting parties shall acknowledge the execution of the contract before the municipal treasurer or justice of the peace or the mayor of the municipality where the land is situated. No fees or stamps of any kind shall be paid or required.

When one of the parties is unable to read, in case of doubt the burden of proof to show that he understood the terms of the contract shall rest upon the other party who is able to read.

SEC. 13. *Registry of Tenancy Contracts.*—For the purposes of this Act, the municipal treasurer of the municipality wherein the land which is the subject-matter of a tenancy contract is situated shall keep a record of all such contracts entered into within his jurisdiction, to be known as “Registry of Tenancy Contracts.” He shall keep this registry together with a copy of each contract entered therein, and make annotations on said registry of all subsequent acts relative to each contract, such as its renewal, novation, cancellation, etc.: *Provided*, That the municipal treasurer shall not charge any fee for the registration of said contracts or of any subsequent acts relative thereto, none of which shall be subject to the documentary stamp tax.

SEC. 14. *Change of System.*—The tenant shall have the right to change the tenancy contract from one of share tenancy to the leasehold tenancy and vice versa and from one crop-sharing arrangement to another of the share tenancy. If the share tenancy contract is in writing and is duly registered, the right may be exercised at the expiration of the period of the contract. In the absence of any written contract, the right may be exercised at the end of the agricultural year. In both cases the change to the leasehold system shall be effective one agricultural year after the tenant has served notice of his intention to change upon the landholder.

SEC. 15. *Interest on Loans or Advances.*—On all loans or advances obtained by the tenant from the landholder in connection with the cultivation, planting, harvesting and other incidental expenses for the improvement of the crop planted, as well as loans

or advances for the subsistence of the tenant and his family, the interest which may be stipulated shall not exceed eight *per centum* per calendar year: *Provided*, That on all loans or advances other than money, such as grain or other agricultural products, made to the tenant by the landholder, the interest shall be computed on the basis of the current price of the produce at the time it was loaned. Violation of the provisions of this section shall be punished in accordance with the Usury Law.

SEC. 16. *Memorandum of Loans or Advances.*—Any obligation referring to any amount either in money or in kind, including the payment of interest, which the tenant may have received from time to time as loan or advance from the landholder, shall be void unless the same, or some note or memorandum thereof, be in writing in a language or dialect known to the party charged, and subscribed by said party, or by his duly authorized agent.

SEC. 17. *Form of Final Accounting.*—The final accounting between landholder and tenant at the end of each agricultural year shall be effected within ten days after the threshing in case of rice and within the same period of time after the harvest or gathering of the fruits in the case of other crops. In case of crops which have to be sold in processed form, the final accounting shall be within five days after the sale is consummated and the sales receipt shall be exhibited to the tenant.

The accounting shall be made to appear in a note or memorandum written in a language or dialect known to the tenant and signed by both parties in the presence of two witnesses who shall be selected by each party. Each of the contracting parties shall be furnished with a copy said note or memorandum and such final accounting, duly signed by both parties and two witnesses, shall be deemed conclusive evidence of its contents, except in case of fraud, error, force, intimidation or undue influence. When one of the parties is unable to read, the burden of proof, in case of doubt, to show that he understood the accounting, shall rest upon the other party who is able to read.

In the absence of a written accounting in accordance with the preceding paragraph, the tenant may, within three years from the date of the threshing of the crop in question, petition the Court to compel the landholder to render an accounting of the same in accordance with this section.

SEC. 18. *Settlement of Debts.*—Once the accounting is made, any amount of money which the landholder may have advanced to the tenant for expenses of cultivation, harvesting or gathering of the crop or for his own private use, as well as any amount of grain or agricultural products advanced for his subsistence and that of his family, shall be paid by the tenant out of his share either in grain or in money, at the option of the latter: *Provided*, That such grain or agricultural products shall be appraised in money according to their current market value at the place where the land is located at the time of their delivery to the tenant: *Provided, further*, That in case his share is not sufficient, his outstanding debt shall be reduced to money and shall bear an interest of not more than ten per centum per annum: *And provided, finally*, That the remaining debt of the tenant once converted into money shall not again be converted into kind. Said outstanding debt may, however, be paid in money or agricultural products appraised at the local current mark price at the time of payment.

SEC. 19. *Exemption from Lien and/or Attachment.* —Twenty-five *per centum* of the tenant's share of the produce of the land in share tenancy, or of the entire produce in leasehold tenancy, one work animal and one of each kind of farm implement belonging to the tenant, provided that the value of such work animal and implements do not exceed five hundred pesos, shall be exempt from lien and attachment.

SEC. 20. *Use of Official Weights and Measures.*—In all transactions entered into between the landholder and the tenant concerning agricultural products the official weights and measures of the Government shall be used.

SEC. 21. *Ejectment; Violation; Jurisdiction.*—All cases involving the dispossession of a tenant by the landholder or by a third party and/or the settlement and disposition of disputes arising from the relationship of landholder and tenant, as well as the violation of any of the provisions of this Act, shall be under the original and exclusive jurisdiction of such court as may now or hereafter be authorized by law to take cognizance of tenancy relations and disputes.

PART II

THE SHARE SYSTEM

Chapter I

Common Provisions

SEC. 22. *Rights of the Tenant.*

(1) The tenant shall be free to work elsewhere whenever the nature of his farm obligations warrants his temporary absence from his holdings.

(2) The tenant shall, aside from his labor, have the right to provide any of the contributions for production whenever he can do so adequately and on time.

(3) The tenant's dwelling shall not, without his consent, be removed from the lot assigned to him by the landholder, unless there is a severance of the tenancy relationship between them as provided under Section nine, or unless the tenant is ejected for cause, and only after the expiration of forty-five days following such severance of relationship or dismissal for cause.

If the tenant is dismissed without just cause and he is constrained to work elsewhere, he may choose either to remove his dwelling at the landholder's cost or demand the value of the same from the landholder at the time of the unjust dismissal.

(4) The tenant shall have the right to be indemnified for his labor and expenses in the cultivation, planting, or harvesting and other incidental expenses for the improvement of the crop raised in case he is dispossessed of his holdings whether such dismissal is for a just cause or not, provided the crop still exists at the time of the dispossession.

SEC. 23. *Obligations of the Tenant.*—It shall be the obligations of the tenant:

(1) To cultivate and take care of the farm, the growing crops and other improvements entrusted to him as a good father of a family, by doing all the work necessary in accordance with proven farming practices.

(2) To inform the landholder at once of any trespass committed by a third person upon the farm.

(3) To take reasonable care of the work animals and farm implements used in the joint undertaking. He shall not use the work animals and farm implements entrusted to him by the landholder for purposes other than those intended, or allow their use by other persons without the knowledge and consent of the landholder.

The tenant shall not abandon or surrender his holdings and leave the farm and growing crop and other improvements unattended during the work season, except for just and reasonable cause. In case of such unjustified abandonment or surrender, any or all of his expected share in the crop may, in the discretion of the court, be forfeited in favor of the landholder to the extent of the damage caused thereby.

Any of the following shall be considered just and reasonable cause for the tenant to terminate the tenancy relationship:

(a) Cruel, inhuman or offensive treatment on the part of the landholder or his representative toward the tenant or any member of his immediate farm household.

(b) Non-compliance on the part of the landholder with any of the obligations imposed upon him by the provisions of this Act or by the contract.

(c) If the landholder or his representative compels the tenant or any member of his immediate farm household to do any or render any service not in any way connected with his farm work, or even without compulsion if no compensation is paid.

(d) Commission of a crime by the landholder or his representative against the tenant or any member of his immediate farm household.

SEC. 24. *Prohibitions to Tenant:*

(1) It shall be unlawful for the tenant, whenever the area of his holdings is five hectares or more, or is of sufficient size to make him and the members of his immediate farm household fully occupied in its cultivation, to contract to work at the same time on two or more separate holdings belonging to different landholders under any system of tenancy, without the knowledge and consent of the landholder with whom he first entered into tenancy relationship.

(2) It shall be unlawful for a share-tenant to employ a sub-tenant to furnish labor on any phase of the work required of him under this Act, except in cases of illness or any temporary incapacity on his part, in which eventuality the tenant or any member of his immediate farm household is under obligation to report such illness or incapacity to the landholder. Payment to the subtenant, in whatever form, for services rendered on the land under this circumstance, shall be for the account of the tenant.

(3) Subject to provisions of the next preceding paragraph, land entrusted for cultivation to a leasehold tenant shall not be sublet nor shall the lease be assigned by the tenant to another person, except with the written consent of the lessor.

SEC. 25. Rights of the Landholder:

(1) The landholder shall have the right to choose the kind of crop and the seeds which the tenant shall plant in his holdings: *Provided, however,* That if the tenant should object, the court shall settle the conflict, according to the best interest of both parties.

(2) The landholder shall have the right to require the use of fertilizer of the kind or kinds shown by proven farm practices to be adapted to the requirements of the land.

(3) The landholder shall have the right to inspect and observe the extent of compliance on the part of the tenant with the terms and conditions of their contract and the provisions of this Act.

(4) In cases where the crop has to be sold in processed form before division and the tenant has no representative, the landholder shall have the right to deal with millers or processors in representation of the tenant.

SEC. 26. Obligations of the Landholder:

(a) The landholder shall furnish the tenant an area of not less than one thousand square meters where the latter may construct his dwelling, raise vegetables, poultry, pigs and other animals and engage in minor industries, the products of which shall accrue to the tenant exclusively.

(b) The landholder shall keep the tenant in the peaceful possession and cultivation of his holdings which are the subject-matter of the contract.

SEC. 27. Prohibitions to the Landholder:

(1) The landholder shall not dispossess the tenant of his holdings except for any of the causes enumerated in Section fifty, and without the cause having been proved before, and the dispossession authorized by, the court; otherwise, he shall, aside from the penalty

of fine and/or imprisonment provided for any violation of this Act, be liable to the tenant for damages to the extent of the landholder's participation in the harvest in addition to the tenant's right under Section twenty-two of this Act.

(2) The landholder shall be responsible for the payment of taxes levied by the Government upon the land which is the subject-matter of the contract and it shall be unlawful to make the tenant bear a part or all of the same, either directly or indirectly.

(3) The landholder shall not require the tenant to bear, directly or indirectly, any part of the rent, "canon" or other consideration which he, the former, may be under obligation to pay to a third person for the use of the land.

SEC. 28. *Expenses for Seeds; Fertilizer; Pest and Control Expenses.*

(1) The same amount of seeds or seedlings used in the production of any crop shall be deducted from the gross harvest and returned to the party who furnished the same.

(2) The cost of fertilizer and expenses for pest and weed control as evidenced by sales invoices shall be paid out of the gross harvest and returned to the party who advanced the cost and expenses.

SEC. 29. *Irrigation System.*—The cost of the construction of an irrigation system, including the distributory canals, shall be borne exclusively by the landholder. The cost of maintenance and operation of the system shall, however, be borne by the landholder and the tenant in proportion to their respective shares in the harvest.

SEC. 30. *Auxiliary Crop.*—In case the land is planted to an auxiliary crop, the tenant shall receive eighty *per centum* and the landholder twenty *per centum* of the net produce, provided all expenses of production are borne by the tenant.

Auxiliary crops shall not, however, be construed to include the crops or products raised from the garden, poultry and other industries carried on the lot specifically provided for the tenant under Section 26(a) hereof.

SEC. 31. *Cost of Fertilizer, etc.; when to be Advanced by the Landholder.*—Whenever the use of fertilizer or the application of insect, disease and rodent control measures is directed by the landholder, he shall advance their cost, which shall be deducted from the gross produce.

Chapter II

Rice Share Tenancy

SEC. 32. *Share Basis.*—The parties shall, on ricelands which produce a normal average of more than forty cavanes per hectare for the three agricultural years next preceding the current harvest, receive as shares in the gross produce, after setting aside the same amount of palay used as seed, and after deducting the cost of fertilizer, pest and control, reaping and threshing, the amount corresponding to the total equivalent of their individual contributions, computed as follows:

Contribution	Participation
1. Land	30%
2. Labor	30%
3. Farm implements	5%
4. Work Animals	5%
5. Final harrowing of the field immediately before transplanting	5%
6. Transplanting	25%

SEC. 33. *Share Basis on Second Class Land.*—On ricelands, which produce a normal average of forty cavans or less per hectare for the three agricultural years next preceding the current harvest,

the participation for the contribution of the land shall be twenty-five *per centum* and that of labor, thirty-five *per centum*.

SEC. 34. *Reimbursement Not Allowed*.—Contributions or shares in the contribution to the production of the crop in the form of cash, grain or services, once shouldered or rendered alone by one party may not be reimbursed by the other party after the phase or phases of work required in the joint undertaking shall have been completed.

SEC. 35. *Sharing of Expenses*.—In case the landholder and the tenant agree to share equally in the expenses of final harrowing of field and transplanting, the latter may engage the services of persons or helpers to perform these phases of farm work, provided the rates for each shall have been previously determined and agreed upon between the landholder and the tenant. In case of disagreement upon said rates, the party who undertakes the work shall bear all the expenses, and be entitled to the corresponding share in the harvest, after deducting the expenses of reaping.

SEC. 36. *Further Rights of the Tenant*.—In addition to the provision of Section twenty-two, the tenant shall have the right to:

1. Determine when to scatter the seeds, to transplant the seedlings, and to reap the harvest, provided they shall be in accordance with proven farm practices and after due notice to the landholder.

2. Choose the thresher which shall thresh the harvest whenever it is the best available in the locality and the best suited to the landholder's and tenant's needs and provided the rate charged is equal to or lower than the rate charged by the owner of other threshers under similar circumstances: *Provided, further*, That in cases where there are more than one tenant the selection of the majority of the tenants shall prevail: *Provided, finally*, That if the landholder is the owner of a thresher and is ready and willing to grant equal or lower rates under the same conditions, the use of the landholder's thresher shall be given preference.

3. Apply appropriate pest, insect, disease and rodent control measures whenever in his judgment such action is necessary: *Provided, however,* That if a tenant fails to apply any of the above control measures after the landholder has made a request in writing for such action, he shall be liable for any loss resulting from such failure.

4. Apply fertilizer of the kind or kinds shown by proven farm practices to be adapted to the requirements of the land, provided the landholder has not exercised his right under Section twenty-five to require the use of such fertilizer.

SEC. 37. *Further Rights of the Landholder.*—In addition to the provisions of Section twenty-five, the landholder, by himself or through his representative, may determine:

1. The proper height of *pilapils* or dikes according to the local practices.

2. The location and size of irrigation canals.

3. The site for the stacking of the harvest, provided it shall not be farther than one kilometer from the center of the area cultivated by a majority of the tenants.

4. The date of threshing.

Provided, however, That in case of disagreement by the tenant in any of the foregoing instances, the court shall determine whatever may be in the interest of both parties.

SEC. 38. *Labor; What It Constitutes.*—The tenant shall perform the following as the labor contributed by him under Section thirty-two:

1. The preparation of the seedbed which shall include plowing, harrowing, and watering of the seedbed, the scattering of the seeds, and the care of the seedlings.

2. The plowing, harrowing, and watering of the area he is cultivating, except final harrowing of the field as an item of contribution specified in Section thirty-two of this Act.

3. The maintenance, repair and weeding of dikes, paddies, and irrigation canals in his holdings.

4. The pulling and bundling of the seedlings preparatory to their transplanting.

5. Care of the growing plants.

6. Gathering and bundling of the reaped harvest.

7. The piling of the bundles into small stacks.

8. The preparation of the place where the harvest is to be stacked,

9. Gathering of the small stacks and their transportation to the place where they are to be stacked.

10. Piling into a big stack preparatory to threshing.

SEC. 39. *Prohibition on Pre-Threshing.*—It shall be unlawful for either the tenant or the landholder, without mutual consent, to reap or thresh a portion of the crop at any time previous to the date set for its threshing. Any violation by either party shall be treated and penalized in accordance with this Act and/or under the general provisions of law applicable to the act committed.

SEC. 40. *Place of Crop Division.*—The division of the crop shall be made in the same place where the harvest has been threshed and each party shall transport his share to his warehouse or barn, unless the contrary is stipulated by the parties.

Chapter III

Share Tenancy on Crops other than Rice

SEC. 41. *Basis of Shares in Crops other than Rice.*— The landholder and the tenant on lands which produce crops other than rice shall be free to enter into any contract stipulating the ratio of crop division. In the absence of a stipulation, the customs of the place shall govern: *Provided*, That whether the basis of division of the crop is the contract between the parties or the customs of the place, the share of the tenant for his labor in the production shall not be less than thirty per cent of the harvest or produce, after deducting the expenses for harvesting and/or initial processing: *Provided, further*, That in cases where the share of the tenant is, according to local practices or customs prevailing at the time of the approval of this Act, more than the minimum herein set, the tenant's share thus established by local practices or customs shall prevail and be considered the minimum.

PART III

THE LEASEHOLD TENANCY

SEC. 42. *Landholder-Lessor and Tenant-Lessee, Defined.* Any person, natural or juridical, either as owner, lessee, usufructuary or legal possessor of agricultural land, who lets, leases or rents to another said property for purposes of agricultural production and for a price certain or ascertainable either in an amount of money or produce, shall be known as the landholder-lessor; and any person who, with the consent of the former, tills, cultivates or operates said land, susceptible of cultivation by one individual, personally or with the aid of labor available from among his own immediate farm household, is a tenant-lessee.

SEC. 43. *Rights and Obligations of Tenant-Lessee.*—With the creation of the tenancy relationship arising out of the contract between the landholder-lessor and tenant-lessee, the latter shall have the right to enter the premises of the land, and to the adequate

and peaceful enjoyment thereof. He shall have the right to work the land according to his best judgment, provided the manner and method of cultivation and harvest are in accordance with proven farm practices. Upon termination of the relationship, he shall be entitled to one half of the value of the improvements made by him, provided they are reasonable and adequate to the purposes of the lease.

The tenant-lessee shall pay the consideration stipulated in the lease contract provided it shall not exceed the limit fixed in Section forty-six. In the absence of stipulation, the consideration shall be that established in said Section forty-six. He shall make proper use of the land and the improvements thereon and shall be under obligation to cultivate it as a good father of a family, by doing all the work considered reasonable and necessary in accordance with proven farm practices. He is likewise obliged to take reasonable care of the work animals and farm implements that may be delivered to him by the landholder, in case it is agreed between the parties that the landholder-lessor shall furnish any or all of them.

SEC. 44. *Rights of Landholder-lessor.*—The landholder-lessor or his duly authorized representatives shall have the right to inspect the premises of the land which is the subject of the lease for the purpose of ascertaining the tenant's compliance with the provisions of the contract and of this Act, but in no case shall he exercise any coercion, intimidation or violence in word or deed.

SEC. 45. *Manner of Rental Payment.*—Payment of the consideration for the use of land may be made either in an amount certain or ascertainable in money or in produce, or both.

SEC. 46. *Consideration for the Use of Land.*

(a) The consideration for the use of ricelands, shall not be more than thirty *per centum* of the gross produce for first class lands and not more than twenty-five *per centum* for second class lands. Classification of ricelands shall be determined by productivity: first class lands being those which yield more than forty cavanes per

hectare and second class lands being those which yield forty cavanes or less, the same to be computed upon the normal average harvest of the three preceding years.

(b) The consideration for agricultural land where exist fruit trees and other useful trees and plants, from which the whole or any portion of the produce of the said land is taken, shall not be more than what have been specified in the preceding section: *Provided, however,* That additional considerations for the enjoyment of said trees and useful plants, if the principal product is rice or other crops, shall be decided and specified by negotiation between landholder-lessor and the tenant-lessee: *Provided, further,* That where the tenant-lessee, during the period of the lease and/or in consideration thereof, plants and/or takes care of said trees and plants, with the consent of the landholder-lessor, the tenant-lessee shall be compensated by the latter in the manner agreed between them.

(c) The consideration for the use of sugar lands, fishponds, saltbeds and of lands devoted to the raising of livestock shall be governed by stipulation between the parties.

SEC. 47. *Rental of Work Animals, etc. and Applicability of Schedules.*—Upon agreement of the parties, the tenant-lessee may make use of such work animals, farm implements or services belonging to the landholder-lessor as are available for hire, the consideration of which shall be based on their fair rental value.

The rates on the fair rental value for the use of work animals, farm implements and services, belonging to the landholder-lessor shall be those provided in Schedules “A”, “B”, and “C”, which shall apply upon approval of this Act and shall remain in force, unless the Secretary of Agriculture and Natural Resources revises the same in accordance with Section fifty-two.

SEC. 48. *Loans and Interests.*—Loans, either in money or in kind, obtained by a tenant-lessee from the landholder-lessor shall be payable at the time stipulated: *Provided, however,* That this shall not be construed as prejudicing the right of the borrower

to repay his obligation before date of maturity. The loan, unless it is otherwise stipulated, shall be payable in money at not more than eight per cent interest *per annum*, computed from the date the indebtedness was contracted up to and including the date of payment. A note or memorandum to evidence indebtedness shall be executed in accordance with the provision of Section sixteen.

PART IV

SECURITY OF TENURE

SEC. 49. *Ejectment of Tenant*.—Notwithstanding any agreement or provision of law as to the period, in all cases where land devoted to any agricultural purpose is held under any system of tenancy, the tenant shall not be dispossessed of his holdings except for any of the causes hereinafter enumerated and only after the same has been proved before, and the dispossession is authorized by, the court.

SEC. 50. *Causes for the Dispossession of a Tenant*. —Any of the following shall be a sufficient cause for the dispossession of a tenant from his holdings:

(a) The *bona fide* intention of the landholder to cultivate the land himself personally or through the employment of farm machinery and implements: *Provided, however*, That should the landholder not cultivate the land himself or should fail to employ mechanical farm implements for a period of one year after the dispossession of the tenant, it shall be presumed that he acted in bad faith and the tenant shall have the right to demand possession of the land and damages for any loss incurred by him because of said dispossession: *Provided, further*, That the landholder shall, at least one year but not more than two years prior to the date of his petition to dispossess the tenant under this sub-section, file notice with the court and shall inform the tenant in writing in a language or dialect known to the latter of his intention to cultivate the land himself, either personally or through the employment of mechanical

implements, together with a certification of the Secretary of Agriculture and Natural Resources that the land is suited for mechanization: *Provided, further*, That the dispossessed tenant and the members of his immediate household shall be preferred in the employment of necessary laborers under the new set-up.

(b) When the tenant violates or fails to comply with any of the terms and conditions of the contract or any of the provisions of this Act: *Provided, however*, That this subsection shall not apply when the tenant has substantially complied with the contract or with the provisions of this Act.

(c) The tenant's failure to pay the agreed rental or to deliver the landholder's share: *Provided, however*, That this shall not apply when the tenant's failure is caused by a fortuitous event or force majeure.

(d) When the tenant uses the land for a purpose other than that specified by agreement of the parties.

(e) When a share-tenant fails to follow those proven farm practices which will contribute towards the proper care of the land and increased agricultural production.

(f) When the tenant through negligence permits serious injury to the land which will impair its productive capacity.

(g) Conviction by a competent court of a tenant or any member of his immediate family or farm household of a crime against the landholder or a member of his immediate family.

SEC. 51. *Burden of Proof*.—She burden of proof to show the existence of a lawful cause for the ejectment of a tenant shall rest upon the landholder.

PART V

SPECIAL PROVISIONS

SEC. 52. *Duties of the Secretary of Agriculture and Natural Resources.*—It shall be the duty of the Secretary of Agriculture and Natural Resources to:

1. Conduct such educational programs as circumstances may require adequately to acquaint tenants and landholders with their rights and responsibilities under this Act.

2. Revise the rental rates provided for in Schedules “A” and “B”, whenever such revision is made necessary by changes in values and prices, so that the rental rates shall conform to the standard of fair rental value as defined in Section 5 (*m*).

3. Facilitate the preparation and registration of landholder-tenant contracts through the distribution of appropriate printed forms and instructions to guide the interested parties in drafting and executing rental agreements. The forms of contracts must bear the approval of the court.

4. Conduct surveys and researches to determine extent of compliance, adaptability to different crops areas and the fairness of this Act to all parties affected by its implementation.

5. Submit an annual report to the President containing an analysis showing the progress made towards attaining the objectives enumerated in Section two of this Act and recommendations concerning methods of improving the implementation and general effectiveness of this Act. Copies of this report shall be provided to members of the Congress.

SEC. 53. *Duties of Secretary of Justice.*—The Secretary of Justice, through the Executive Judge of the Court, shall be responsible for formulating a national enforcement program, among

other things, through the assignment of judges and personnel, which will insure the full enforcement of the provisions of this Act.

SEC. 54. *Representation by Counsel.*—In all cases wherein a tenant cannot afford to be represented by counsel, it shall be the duty of the Public Defender of the Department of Labor to represent him, upon proper notification by the party concerned, or the court of competent jurisdiction shall assign or appoint counsel *de officio* for the indigent tenant.

SEC. 55. *Applicability of General Laws.*—The provisions of existing laws which are not inconsistent herewith shall apply to the contracts governed by this Act as well as to acts or omissions by either party against each other during, and in connection with, their relationship.

SEC. 56. *Doubts to Be Solved in Favor of the Tenant.*— In the interpretation and enforcement of this Act and other laws as well as of the stipulations between landholder and the tenant, the courts and administrative officials shall solve all grave doubts in favor of the tenant.

SEC. 57. *Penal Provision.*—Violation of any of the provisions of this Act shall be punished with a fine not exceeding two thousand pesos or imprisonment not exceeding one year, or both, in the discretion of the Court.

SEC. 58. *Separability of Provisions.*—If for any reason, any section or provision of this Act shall be questioned in any court, and shall be held to be unconstitutional or invalid, no other section or provision of this Act shall be affected thereby.

SEC. 59. *Repealing Provisions.*—Public Act Numbered Four thousand fifty-four, as amended by Republic Act Numbered Thirty-four, Commonwealth Act Numbered Fifty-three, Commonwealth Act Numbered Four hundred sixty-one as amended by Republic Act Numbered Forty-four, and all laws, rules and regulations inconsistent herewith are hereby repealed.

SEC. 60. *Effective Date.*—This Act shall take effect upon its approval.

Approved, August 30, 1954.

SCHEDULE “A”

The rental value of work animals and farm implements other than machinery, shall not exceed the allowable depreciation charges plus six per cent (6%) interest *per annum* computed on the market value of the said work animals and farm implements as hereinbelow fixed. The market value of work animals and farm implements not fixed in this Schedule shall be those prevailing in the locality where the said animals and implements are rented.

Item	Market value	Period of depreciation in years	Allowable depreciation charge	Allowable Interest at 6 per cent	Fair rental value <i>per annum</i>
Carabao	P300.00	10	P30.00	P18.00	P48.00
Bullock	600.00	7	85.91	36.00	121.00
Horse, native	150.00	8	18.75	9.00	27.75
Cattle	200.00	7	28.57	12.00	40.57
Plow, iron	40.00	5	8.00	2.40	10.40
Plow, wooden	25.00	2	12.50	1.50	14.00
Harrow, iron	18.00	5	3.60	1.00	4.68
Carreton (native cart)..	400.00	10	40.00	24.00	64.00

SCHEDULE “B”

The rental value for farm machineries inclusive of tractors, tractor equipment, engines, motors, and pumps shall not exceed the allowable depreciation equal to one-tenth (1/10) of the current market value plus interest at six per cent (6%) *per annum*.

SCHEDULE “C”

The amounts to charged by the landholder when he performs services in the operation of the farm enterprise shall not exceed the rates in the locality where such services are rendered.

RA 1199 repealed ACT 4054.
RA 1199 repealed CA 53.
RA 1199 repealed CA 461.

H. No. 2557

REPUBLIC ACT NO. 1400

AN ACT DEFINING A LAND TENURE POLICY, PROVIDING FOR AN INSTRUMENTALITY TO CARRY OUT THE POLICY, AND APPROPRIATING FUNDS FOR ITS IMPLEMENTATION

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

SECTION 1. *Short title.*—This Act shall be known as the “Land Reform Act of 1955.”

SEC. 2. *Declaration of policy.*—It is the declared policy of the State to create and maintain an agrarian system which is peaceful, prosperous and stable, and to this end the Government shall establish and distribute as many family-size farms to as many landless citizens as possible through the opening up of public agricultural lands and the division and distribution of private agricultural lands where agrarian conflicts exist, either by private arrangement with the owners or through expropriation proceedings.

THE LAND TENURE ADMINISTRATION

SEC 3. *Creation and composition.*—For the purpose of carrying out the policy enunciated in this Act, there is hereby created a Land Tenure Administration, hereinafter called the Administration, which shall be directly under the control and supervision of and responsible to the President of the Philippines. The Administration shall consist of a Chairman and two members who shall be appointed by the President with the consent of the Commission on Appointments and shall hold office for a period of five years. They may be removed for cause or for incapacity to discharge the duties of their office.

SEC. 4. *Qualifications and compensation of members.*—No person shall be appointed Chairman or member of the Administration

unless he is natural born citizen of the Philippines, at least thirty-five years of age, and not related by affinity or consanguinity within the fourth civil degree to any landowner who may be affected by this Act.

The Chairman shall receive an annual compensation of fifteen thousand pesos and the members shall each receive an annual compensation of twelve thousand pesos.

SEC. 5. *Functions.*—It shall be the responsibility of the Administration to:

(1) Make studies on the land tenure problems throughout the Philippines, prepare over-all long range plans to solve such problems, and keep the President and the Congress of the Philippines full informed of the progress of the land tenure reform program;

(2) Initiate immediate investigation in areas reporting land tenure difficulties and recommend appropriate action without delay;

(3) Inform the President and the Congress of the Philippines of any deficiency of the other departments or agencies of the Government in the implementation of legislation bearing on or affecting the land tenure reform;

(4) Prepare a plan for the systematic opening of virgin lands of the public domain for distribution to tenants, preference to be given to those tenants who are ejected by virtue of mechanization and to other landless citizens; and

(5) To implement and carry out the expropriation and the resale or lease of urban lands already authorized by existing laws.

SEC. 6. *Powers.*—In pursuance of the policy enunciated in section two hereof, the Administration is authorized to:

(1) Purchase private agricultural lands for resale at cost to *bona fide* tenants or occupants, or in the case of estates abandoned

by the owners for the last five years, to private individuals who will work the lands themselves and who are qualified to acquire or own lands but who do not own more than six hectares of lands in the Philippines;

(2) Initiate and prosecute expropriation proceedings for the acquisition of private agricultural lands in proper cases, for the same purpose of resale at cost: *Provided*, That the power herein granted shall apply only to private agricultural lands as to the area in excess of three hundred hectares of contiguous area if owned by natural persons and as to the area in excess of six hundred hectares if owned by corporations: *Provided, further*, That land where justified agrarian unrest exists may be expropriated regardless of its area.

(3) Prepare a schedule of areas of family-size farm units, not exceeding six hectares each, for different crops in different localities; and

(4) Promulgate such rules and regulations as may be necessary for the successful implementation of the provisions of this Act.

SEC. 7. *Appointment of subordinate officials and employees.*—To enable the Administration to implement the provisions of this Act more effectively, it shall have a Legal Staff, a Technical Staff and a Financial Staff, the personnel of which shall be appointed by the Administration which shall also fix their compensation.

The Administration shall appoint, subject to Civil Service rules and regulations, fix the compensation and determine the duties of such officials and employees as the exigencies of the service may require. The Administration shall establish and prescribe its own rules, regulations, standards and records for the employment, promotion, transfer, welfare and compensation of employees and officers of the Administration and provide a system of organization.

SEC. 8. *Assistance of other departments and agencies.*—The Administration may call upon any department or agency of the

Government for assistance and cooperation on any matter connected with the functions and powers of the Administration.

NEGOTIABLE LAND CERTIFICATES

SEC. 9. Issuance.—The President, for the purpose provided for in this Act and upon recommendation of the Secretary of Finance and concurred in by the Monetary Board, is hereby authorized to issue negotiable land certificates upon the request of the Administration: *Provided*, That only sixty million a year will be issued during the first two years, and thirty million each year during the succeeding years.

Negotiable land certificates shall be issued in denominations of one thousand pesos or multiples of one thousand pesos and shall be payable to bearer on demand and presentation at the Central Bank. These certificates if presented for payment after five years from the date of issue shall earn interest at the rate of four *per centum per annum*; if presented for payment after ten years from the date of issue shall earn interest at the rate of four and one-half *per centum per annum*; and if presented for payment after fifteen years from the date of issue shall earn interest at the rate of five *per centum per annum*.

SEC. 10. *Uses of certificates*.—Negotiable land certificates may be used by the holder thereof for any of the following purposes:

(1) Payment for agricultural lands or other properties purchased from the Government: *Provided, however*, That in the case of purchase of agricultural lands, the purchaser is not otherwise prohibited to own or hold agricultural lands under the Constitution;

(2) Payment for the purchase of shares of stock or of the assets of any industrial or commercial corporations owned or controlled by the Government;

(3) Payment of all tax obligations of the holder thereof, or of any debt or monetary obligation of the holder to the Government or

any of its instrumentalities or agencies including the Rehabilitation Finance Corporation and the Philippine National Bank: *Provided, however,* That payment of indebtedness shall not be less than twenty *per centum* of the total indebtedness of the debtor; and

(4) As surety or performance bonds, in all cases where the Government may require or accept real property as bonds.

NEGOTIATED PURCHASE OF PRIVATE AGRICULTURAL LANDS

SEC. 11. *Lands subject to purchase.*—The Administration, acting for and on behalf of the Government, may negotiate to purchase any privately owned agricultural land when the majority of the tenants therein petition for such purchase.

SEC. 12. *Action on the petition.*—Upon receipt of the petition, the Administration shall;

(1) Within thirty days, determine on the basis of the information contained in the petition, the suitability of the land for purchase, notify the petitioners and the landowner accordingly, and fix the date for preliminary negotiations;

(2) Within sixty days from the preliminary negotiation, conduct investigations and technical surveys to determine title to the land and its real value, taking into account (a) the prevailing prices of similar lands in the immediate area, (b) the soil conditions topography and climate hazards, (c) actual production, (d) accessibility, and (e) improvements; and

(3) Fix, within ninety days from the preliminary negotiation, the date for final negotiation.

SEC. 13. *Deposit by tenants.*—Before fixing the date for final negotiation under section twelve, paragraph (3), and in the interest of public welfare, the Administration shall require the tenants to form a cooperative to be affiliated with a government financing

cooperative agency. Such cooperative agency shall deposit with the Administration an amount not exceeding twenty-five *per centum* of the annual gross produce of the principal crop or crops of such land on the basis of the average of harvest of the three years immediately preceding the year the petition was filed. This deposit shall be credited to the selling price to the tenants in accordance with the individual contribution of each said deposit.

SEC. 14. *Payment.*—In negotiating for the purchase of agricultural land, the Administration shall offer to pay the purchase price wholly in land certificates or partly in legal tender and partly in land certificates: *Provided*, That the amount to be paid in legal tender shall in no case exceed fifty *per centum* of the purchase price: *Provided, further*, That the landowner, if he desires and the Administration so agrees, may be paid, by way of barter or exchange, with such residential, commercial or industrial land owned by the Government as may be agreed upon by the parties.

SEC. 15. *Outstanding debts of tenants.*—In cases where the landowner is willing to accept payment wholly in land certificates, the Administration is authorized to include in the price to be paid the landowner all the outstanding debts, evidenced in writing, of the tenants to said landowner, the Administration to be thereafter reimbursed in accordance with such rules and regulations as it may promulgate: *Provided*, That the resulting increase in price by virtue of such inclusion will not be more than ten *per centum* of the total cost of the land agreed upon in the negotiated sale.

EXPROPRIATION OF PRIVATE AGRICULTURAL LANDS

SEC. 16. *When proper.*—The Administration may initiate and prosecute expropriation proceedings for the acquisition of private agricultural land subject to the provisions of section six, paragraph (2), upon petition of a majority of the tenants and after it is convinced of the suitability of such land for subdivision into family-size farm units, and that public interest will be served by its immediate acquisition, when any of the following conditions exists:

(1) That the landowner falling with the terms of section six, paragraph (2), continues to refuse to sell after all efforts have been exhausted by the Administration to negotiate for its purchase; or

(2) That the landowner is willing to sell under sections eleven and twelve but cannot agree with the Administration as to the price and/or the manner of its payment.

SEC. 17. *Petition.*—The petition, in case the landowner refuses to sell, shall be filed in the manner and form to be prescribed by the Administration. However, before initiating expropriation proceedings, the Administration shall make one last effort to purchase the land by negotiated sale.

SEC. 18. *Possession of the land; procedure.*—The Administration after commencing the expropriation suit may take immediate possession of the land upon deposit, with the Court which has acquired jurisdiction over the expropriation, of money or a certificate of deposit of a depository of the Republic of the Philippines as provided in section three of Rule 69 of the Rules of Court equal to the value of the land as provisionally and promptly determined by the Court taking into consideration the factors mentioned in section twelve, paragraph (2).

Thereafter the procedure in the Rules of Court with respect to eminent domain proceedings shall be followed. Pending judicial expropriation proceedings the owner of the land sought to be expropriated shall be given annually such allowance as his latest income tax return, prior to the institution of the proceedings, shows to be his net income from the land. Such allowance shall be approved by the court having jurisdiction and shall be deducted from the final amount awarded as compensation to the owner.

SEC. 19. *Payment.*—After the court has made final determination of the just compensation for the land expropriated, it shall be paid wholly in cash unless the landowner chooses to be paid wholly or partly in land certificates, in which case section fifteen shall apply.

SEC. 20. *Prohibition against alienation.*—Upon the filing of the petition referred to in sections twelve and sixteen, the landowner cannot alienate any portion of the land covered by such petition except in pursuance of the provisions of this Act, or enter into any form of contract to defeat the purposes of this Act, and no ejectment proceedings against any tenant or occupant of the land covered by the petition shall be instituted or prosecuted until it becomes certain that the land shall not be acquired by the Administration.

GENERAL PROVISIONS

SEC. 21. *Resale of lands purchased or expropriated subject to condition.*—It shall be a condition in all resale contracts and annotated on the Torrens titles of lands acquired and subdivided by authority of this Act that said lands shall not be subdivided, sold or in any manner transferred or encumbered without prior consent of the Administration and only to qualified farmers or tenants or to government banking institutions or agencies.

SEC. 22. *Exemption from tax.*—All land certificates issued by authority of this Act shall be exempt from all forms of taxes. The purchase price paid by the Government for any agricultural land acquired for resale to tenants under the authority of this Act, whether through negotiation or expropriation, shall not be considered as income of the landowner concerned for purposes of the income tax.

SEC. 23. *Definition of terms.*—For the purposes of this Act, the following terms are defined as follows:

(1) Agricultural lands—shall mean lands devoted to agricultural production and shall include the farm home lots.

(2) Family-size farm units—shall mean such are of farm land not exceeding six hectares as will permit the efficient use of the labor resources of the farm family, taking into account the addition of such supplementary labor as may be necessary either for seasonal

peak loads or during the developmental and transitional stages of the family itself.

(3) At cost—shall mean the purchase price plus six *per cent* interest *per annum* for twenty-five years which includes the one *per cent per annum* for administration expenses, plus actual expenses for survey, subdivision and registration. The total, divided into twenty-five equal installments, shall be the annual cost to the tenant for twenty-five years.

SEC. 24. *Payment of family-size farms sold to veterans and other government employees.*—Veterans of the Armed Forces of the Philippines and other government employees with backpay certificates from the Government are hereby authorized to use their backpay certificates in payment of family-size farms that may be acquired by them by authority of this Act.

SEC. 25. *Trust fund.*—All collections from the redistribution of the lands acquired by the Administration, after deducting the one per cent for administration expenses and the actual expenses for survey, subdivision and registration, shall be kept in the National Treasury as a special trust fund to be used exclusively for the redemption of the land certificates and bonds issued by authority of this Act.

SEC. 26. *Sinking fund; appropriation.*—A sinking fund shall be established in such manner that the total annual contribution thereto, accrued at such rate of interest as may be determined by the Secretary of Finance in consultation with the Monetary Board, shall be sufficient to redeem at maturity the land certificates and bonds issued under this Act. Said fund shall be under the custody of the Central Bank which shall invest the same in such manner as the Monetary Board may approve; shall charge all expenses of such investment to said sinking fund; and shall credit the same with the interest on investments and other income belonging to it.

A standing annual appropriation not exceeding twenty million pesos is hereby made out of the general fund in the National

Treasury to provide for the sinking fund created in the section and to carry into effect the purposes of this Act.

In addition, there is hereby appropriated out of the bond issue authorized under Republic Act Numbered One thousand, the sum of one hundred million pesos to carry out the provisions of this Act.

SEC. 27. *Appropriation for the Administration.*—There is hereby appropriated out of any funds in the National Treasury not otherwise appropriated, the sum of three hundred thousand pesos for salaries, per diems, traveling expenses, furniture, office supplies and other expenses that may be incurred by the Administration for the fiscal year 1955-1956. The expenses of the Administration for the succeeding years shall be provided for in the corresponding annual general appropriation acts.

SEC. 28. *Transfer of functions of the Division of Landed Estates, Bureau of Lands.*—Upon the organization of the Administration, the Division of Landed Estates in the Bureau of Lands shall stand abolished and its functions, powers and duties, personnel, records, equipment and balances of appropriation shall thereupon be transferred to the said Administration.

SEC. 29. *Repeal of laws.*—All acts or parts of acts which are inconsistent with the provisions of this Act are hereby repealed.

SEC. 30. *Effectivity.*—This Act shall take effect upon its approval.

Approved, September 9, 1955.

5th Congress
S. No. 542
H. No. 5222

REPUBLIC ACT NO. 3844

AN ACT TO ORDAIN THE AGRICULTURAL LAND REFORM CODE AND TO INSTITUTE LAND REFORMS IN THE PHILIPPINES, INCLUDING THE ABOLITION OF TENANCY AND THE CHANNELING OF CAPITAL INTO INDUSTRY, PROVIDE FOR THE NECESSARY IMPLEMENTING AGENCIES, APPROPRIATE FUNDS THEREFOR AND FOR OTHER PURPOSES

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

PRELIMINARY CHAPTER.—TITLE, DECLARATION OF POLICY AND COMPOSITION OF CODE

SECTION 1. *Title*—This Act shall be known as the Agricultural Land Reform Code.

SEC. 2. *Declaration of Policy*.—It is the policy of the State:

(1) To establish owner-cultivatorship and the economic family-size farm as the basis of Philippine agriculture and, as a consequence, divert landlord capital in agriculture to industrial development;

(2) To achieve a dignified existence for the small farmers free from pernicious institutional restraints and practices;

(3) To create a truly viable social and economic structure in agriculture conducive to greater productivity and higher farm incomes;

(4) To apply all labor laws equally and without discrimination to both industrial and agricultural wage earners;

(5) To provide a more vigorous and systematic land resettlement program and public land distribution; and

(6) To make the small farmers more independent, self-reliant and responsible citizens, and a source of genuine strength in our democratic society.

SEC. 3. *Composition of Code.*—In pursuance of the policy enunciated in Section two, the following are established under this Code:

(1) An agricultural leasehold system to replace all existing share tenancy systems in agriculture;

(2) A declaration of rights for agricultural labor;

(3) An authority for the acquisition and equitable distribution of agricultural land;

(4) An institution to finance the acquisition and distribution of agricultural land;

(5) A machinery to extend credit and similar assistance to agriculture;

(6) A machinery to provide marketing, management, and other technical services to agriculture;

(7) A unified administration for formulating and implementing projects of land reform;

(8) An expanded program of land capability survey, classification, and registration; and

(9) A judicial system to decide issues arising under this Code and other related laws and regulations.

CHAPTER I.—AGRICULTURAL LEASEHOLD SYSTEM

SEC. 4. *Abolition of Agricultural Share Tenancy.*—Agricultural share tenancy, as herein defined, is hereby declared to be contrary to public policy and shall be abolished: *Provided*, That existing share tenancy contracts may continue in force and effect in any region or locality, to be governed in the by meantime the pertinent provisions of Republic Act Numbered Eleven hundred and ninety-nine, as amended, until the end of the agricultural year when the National Land Reform Council proclaims that all the government machineries and agencies in that region or locality relating to leasehold envisioned in this Code are operating, unless such contracts provide for a shorter period or the tenant sooner exercises his option to elect the leasehold system: *Provided, further*, That in order not to jeopardize international commitments, lands devoted to crops covered by marketing allotments shall be made the subject of a separate proclamation that adequate provisions, such as the organization of cooperatives, marketing agreements, or other similar workable arrangements, have been made to insure efficient management on all matters requiring synchronization of the agricultural with the processing phases of such crops: *Provided, furthermore*, That where the agricultural share tenancy contract has ceased to be operative by virtue of this Code, or where such a tenancy contract has been entered into in violation of the provisions of this Code and is, therefore, null and void, and the tenant continues in possession of the land for cultivation, there shall be presumed to exist a leasehold relationship under the provisions of this Code, without prejudice to the right of the landowner and the former tenant to enter into any other lawful contract in relation to the land formerly under tenancy contract, as long as in the interim the security of tenure of the former tenant under Republic Act Numbered Eleven hundred and ninety-nine, as amended, and as provided in this Code, is not impaired: *Provided, finally*, That if a lawful leasehold tenancy contract was entered into prior to the effectivity of this Code, the rights and obligations arising therefrom shall continue to subsist until modified by the parties in accordance with the provisions of this Code.

SEC. 5. *Establishment of Agricultural Leasehold Relation.*—The agricultural leasehold relation shall be established by operation of law in accordance with Section four of this Code and, in other cases, either orally or in writing, expressly or impliedly.

SEC. 6. *Parties to Agricultural Leasehold Relation.*—The agricultural leasehold relation shall be limited to the person who furnishes the landholding, either as owner, civil law lessee, usufructuary, or legal possessor, and the person who personally cultivates the same.

SEC. 7. *Tenure of Agricultural Leasehold Relation.*—The agricultural leasehold relation once established shall confer upon the agricultural lessee the right to continue working on the landholding until such leasehold relation is extinguished. The agricultural lessee shall be entitled to security of tenure on his landholding and cannot be ejected therefrom unless authorized by the Court for causes herein provided.

SEC. 8. *Extinguishment of Agricultural Leasehold Relation.*—The agricultural leasehold relation established under this Code shall be extinguished by:

(1) Abandonment of the landholding without the knowledge of the agricultural lessor;

(2) Voluntary surrender of the landholding by the agricultural lessee, written notice of which shall be served three months in advance; or

(3) Absence of the persons under Section nine to succeed to the lessee, in the event of death or permanent incapacity of the lessee.

SEC. 9. *Agricultural Leasehold Relation Not Extinguished by Death or Incapacity of the Parties.*—In case of death or permanent incapacity of the agricultural lessee to work his landholding, the leasehold shall continue between the agricultural lessor and the

person who can cultivate the landholding personally, chosen by the agricultural lessor within one month from such death or permanent incapacity, from among the following: (a) the surviving spouse; (b) the eldest direct descendant by consanguinity; or (c) the next eldest descendant or descendants in order of their age: *Provided*, That in case the death or permanent incapacity of the agricultural lessee occurs during the agricultural year, such choice shall be exercised at the end of that agricultural year: *Provided, further*, That in the event the agricultural lessor fails to exercise his choice within the periods herein provided, the priority shall be in accordance with the order herein established.

In case of death or permanent incapacity of the agricultural lessor, the leasehold shall bind his legal heirs.

SEC. 10. *Agricultural Leasehold Relation Not Extinguished by Expiration of Period, etc.*—The agricultural leasehold relation under this Code shall not be extinguished by mere expiration of the term or period in a leasehold contract nor by the sale, alienation or transfer of the legal possession of the landholding. In case the agricultural lessor sells, alienates or transfers the legal possession of the landholding, the purchaser or transferee thereof shall be subrogated to the rights and substituted to the obligations of the agricultural lessor.

SEC. 11. *Lessee's Right of Pre-emption.*—In case the agricultural lessor decides to sell the landholding, the agricultural lessee shall have the preferential right to buy the same under reasonable terms and conditions: *Provided*, That the entire landholding offered for sale must be preempted by the Land Authority if the landowner so desires, unless the majority of the lessees object to such acquisition: *Provided, further*, That where there are two or more agricultural lessees, each shall be entitled to said preferential right only to the extent of the area actually cultivated by him. The right of pre-emption under this Section may be exercised within ninety days from notice in writing, which shall be served by the owner on all lessees affected.

SEC. 12. *Lessee's Right of Redemption.*—In case the landholding is sold to a third person without the knowledge of the agricultural lessee, the latter shall have the right to redeem the same at a reasonable price and consideration: *Provided*, That the entire landholding sold must be redeemed: *Provided, further*, That where there are two or more agricultural lessees, each shall be entitled to said right of redemption only to the extent of the area actually cultivated by him. The right of redemption under this Section may be exercised within two years from the registration of the sale, and shall have priority over any other right of legal redemption.

SEC. 13. *Affidavit Required in Sale of Land Subject to Right of Pre-emption.*—No deed of sale of agricultural land under cultivation by an agricultural lessee or lessees shall be recorded in the Registry of Property unless accompanied by an affidavit of the vendor that he has given the written notice required in Section eleven of this Chapter or that the land is not worked by an agricultural lessee.

SEC. 14. *Right of Pre-emption and Redemption Not Applicable to Land to be Converted into Residential, Industrial and Similar Purposes.*—The right of pre-emption and redemption granted under Sections eleven and twelve of this Chapter cannot be exercised over landholdings suitably located which the owner bought or holds for conversion into residential, commercial, industrial or other similar non-agricultural purposes: *Provided, however*, That the conversion be in good faith and is substantially carried out within one year from the date of sale. Should the owner fail to comply with the above condition, the agricultural lessee shall have the right to repurchase under reasonable terms and conditions said landholding from said owner within one year after the aforementioned period for conversion has expired: *Provided, however*, That the tenure of one year shall cease to run from the time the agricultural lessee petitions the Land Authority to acquire the land under the provisions of paragraph 11 of Section fifty-one.

SEC. 15. *Agricultural Leasehold Contract in General.*—The agricultural lessor and the agricultural lessee shall be free to enter into any kind of terms, conditions or stipulations in a leasehold

contract, as long as they are not contrary to law, morals or public policy. A term, condition or stipulation in an agricultural leasehold contract is considered contrary to law, morals or public policy:

(1) If the agricultural lessee is required to pay a rental in excess of that which is hereinafter provided for in this Chapter;

(2) If the agricultural lessee is required to pay a consideration in excess of the fair rental value as defined herein, for the use of work animals and/or farm implements belonging to the agricultural lessor or to any other person; or

(3) If it is imposed as a condition in the agricultural leasehold contract: (a) that the agricultural lessee is required to rent work, animals or to hire farm implements from the agricultural lessor or a third person, or to make use of any store or services operated by the agricultural lessor or a third person; or (b) that the agricultural lessee is required to perform any work or render any service other than his duties and obligations provided in this Chapter with or without compensation; or (c) that the agricultural lessee is required to answer for any fine, deductions and/or assessments.

Any contract by which the agricultural lessee is required to accept a loan or to make payment therefor in kind shall also be contrary to law, morals or public policy.

SEC. 16. *Nature and Continuity of Conditions of Leasehold Contract.*—In the absence of any agreement as to the period, the terms and conditions of a leasehold contract shall continue until modified by the parties: *Provided*, That in no case shall any modification of its terms and conditions prejudice the right of the agricultural lessee to the security of his tenure on the landholding: *Provided, further*, That in case of a contract with a period an agricultural lessor may not, upon the expiration of the period, increase the rental except in accordance with the provisions of Section thirty-four.

SEC. 17. *Form and Registration of Contract.*—Should the parties decide to reduce their agreement into writing, the

agricultural leasehold contract shall be drawn in quadruplicate in a language or dialect known to the agricultural lessee and signed or thumb-marked both by the agricultural lessee personally and by the agricultural lessor or his authorized representative, before two witnesses, to be chosen by each party. If the agricultural lessee does not know how to read, the contents of the document shall be read and explained to him by his witness. The contracting parties shall acknowledge the execution of the contract before the justice of the peace of the municipality where the land is situated. No fees or stamps of any kind shall be required in the preparation and acknowledgment of the instrument. Each of the contracting parties shall retain a copy of the contract. The justice of the peace shall cause the third copy to be delivered to the municipal treasurer of the municipality where the land is located and the fourth copy to the Office of the Agrarian Counsel.

Except in case of mistake, violence, intimidation, undue influence, or fraud, an agricultural contract reduced in writing and registered as hereinafter provided, shall be conclusive between the contracting parties, if not denounced or impugned within thirty days after its registration.

SEC. 18. *Registration of Leasehold Contract.*—The municipal treasurer shall, upon receipt of his copy of the contract, require the agricultural lessee and agricultural lessor to present their respective copies of the contract, and shall cause to be annotated thereon the date, time and place of registration as well as its entry or registration number.

SEC. 19. *Registry of Agricultural Leasehold Contracts.*—The municipal treasurer of the municipality wherein the land is situated shall keep a record of all such contracts drawn and executed within his jurisdiction, to be known as “Registry of Agricultural Leasehold Contracts”. He shall keep this registry together with a copy of each contract entered therein, and make annotations on said registry of all subsequent acts relative to each contract, such as its renewal, novation, cancellation, etc. No registration fees or documentary

stamps shall be required in the registration of said contracts or of any subsequent acts relative thereto.

SEC. 20. *Memorandum of Loans.*—No obligation to pay money on account of loans including interest thereon obtained by the agricultural lessee from the agricultural lessor or his representative shall be enforceable unless the same or a memorandum thereof be in writing in a language or dialect known to the agricultural lessee, and signed or thumb-marked by him, or by his agent.

SEC. 21. *Exemption from Lien and/or Execution.*—The following shall be exempt from lien and/or execution against the agricultural lessee:

(1) Twenty-five *per centum* of the entire produce of the land under cultivation; and

(2) Work animals and farm implements belonging to the agricultural lessee: *Provided*, That their value does not exceed one thousand pesos. But no article or species of property mentioned in this Section shall be exempt from execution issued upon a judgment recovered for its price or upon a judgment of foreclosure of a mortgage thereon.

SEC. 22. *Use of Accepted Standards of Weights and Measures.*—In all transactions entered into between the agricultural lessee and the agricultural lessor concerning agricultural products the official or, upon agreement of the parties, the accepted standards of weights and measures shall be used.

SEC. 23. *Rights of Agricultural Lessee in General.*—It shall be the right of the agricultural lessee:

(1) To have possession and peaceful enjoyment of the land;

(2) To manage and work on the land in a manner and method of cultivation and harvest which conform to proven farm practices;

(3) To mechanize all or any phase of his farm work; and

(4) To deal with millers and processors and attend to the issuance of quedans and warehouse receipts for the produce due him.

SEC. 24. *Right to a Home Lot.*—The agricultural lessee shall have the right to continue in the exclusive possession and enjoyment of any home lot he may have occupied upon the effectivity of this Code, which shall be considered as included in the leasehold.

SEC. 25. *Right to be Indemnified for Labor.*—The agricultural lessee shall have the right to be indemnified for the cost and expenses incurred in the cultivation, planting or harvesting and other expenses incidental to the improvement of his crop in case he surrenders or abandons his landholding for just cause or is ejected therefrom. In addition, he has the right to be indemnified for one-half of the necessary and useful improvements made by him on the landholding: *Provided*, That these improvements are tangible and have not yet lost their utility at the time of surrender and/or abandonment of the land-holding, at which time their value shall be determined for the purpose of the indemnity for improvements.

SEC. 26. *Obligations of the Lessee.*—It shall be the obligation of the agricultural lessee:

(1) To cultivate and take care of the farm, growing crops, and other improvements on the landholding as a good father of a family and perform all the work therein in accordance with proven farm practices;

(2) To inform the agricultural lessor within a reasonable time of any trespass committed by third persons upon the farm, without prejudice to his direct action against the trespasser;

(3) To take reasonable care of the work animals and farm implements delivered to him by the agricultural lessor and see that they are not used for purposes other than those intended or used by another without the knowledge and consent of the agricultural lessor: *Provided, however*, That if said work animals get lost or

die, or said farm implements get lost or are destroyed, through the negligence of the agricultural lessee, he shall be held responsible and made answerable therefor to the extent of the value of the work animals and/or farm implements at the time of the loss, death or destruction;

(4) To keep his farm and growing crops attended to during the work season. In case of unjustified abandonment or neglect of his farm, any or all of his expected produce may, upon order of the Court, be forfeited in favor of the agricultural lessor to the extent of the damage caused thereby;

(5) To notify the agricultural lessor at least three days before the date of harvesting or, whenever applicable, of threshing; and

(6) To pay the lease rental to the agricultural lessor when it falls due.

SEC. 27. *Prohibitions to Agricultural Lessee.*—It shall be unlawful for the agricultural lessee:

(1) To contract to work additional land holdings belonging to a different agricultural lessor or to acquire and personally cultivate an economic family-size farm, without the knowledge and consent of the agricultural lessor with whom he had entered first into leasehold, if the first landholding is of sufficient size to make him and the members of his immediate farm household fully occupied in its cultivation; or

(2) To employ a sub-lessee on his landholding: *Provided, however,* That in case of illness or temporary incapacity he may employ laborers whose services on his Landholding shall be on his account.

SEC. 28. *Termination of Leasehold by Agricultural Lessee During Agricultural Year.*—The agricultural lessee may terminate the leasehold during the agricultural year for any of the following causes:

(1) Cruel, inhuman or offensive treatment of the agricultural lessee or any member of his immediate farm household by the agricultural lessor or his representative with the knowledge and consent of the lessor;

(2) Non-compliance on the part of the agricultural lessor with any of the obligations imposed upon him by the provisions of this Code or by his contract with the agricultural lessee;

(3) Compulsion of the agricultural lessee or any member of his immediate farm household by the agricultural lessor to do any work or render any service not in any way connected with farm work or even without compulsion if no compensation is paid;

(4) Commission of a crime by the agricultural lessor or his representative against the agricultural lessee or any member of his immediate farm household; or

(5) Voluntary surrender due to circumstances more advantageous to him and his family.

SEC. 29. *Rights of the Agricultural Lessor.*—It shall be the right of the agricultural lessor:

(1) To inspect and observe the extent of compliance with the terms and conditions of their contract and the provisions of this Chapter;

(2) To propose a change in the use of the landholding to other agricultural purposes, or in the kind of crops to be planted: *Provided*, That in case of disagreement as to the proposed change, the same shall be settled by the Court according to the best interest of the parties concerned: *Provided, further*, That in no case shall an agricultural lessee be ejected as a consequence of the conversion of the land to some other agricultural purpose or because of a change in the crop to be planted;

(3) To require the agricultural lessee, taking into consideration his financial capacity and the credit facilities available to him, to adopt in his farm proven farm practices necessary to the conservation of the land, improvement of its fertility and increase of its productivity: *Provided*, That in case of disagreement as to what proven farm practice the lessee shall adopt, the same shall be settled by the Court according to the best interest of the parties concerned; and

(4) To mortgage expected rentals.

SEC. 30. *Obligations of the Agricultural Lessor*.—It shall be the obligation of the agricultural lessor;

(1) To keep the agricultural lessee in peaceful possession and cultivation of his landholding; and

(2) To keep intact such permanent useful improvements existing on the landholding at the start of the leasehold relation as irrigation and drainage systems and marketing allotments, which in the case of sugar quotas shall refer both to domestic and export quotas, provisions of existing laws to the contrary notwithstanding.

SEC. 31. *Prohibitions to the Agricultural Lessor*.—It shall be unlawful for the agricultural lessor:

(1) To dispossess the agricultural lessee of his landholding except upon authorization by the Court under Section thirty-six. Should the agricultural lessee be dispossessed of his landholding without authorization from the Court, the agricultural lessor shall be liable for damages suffered by the agricultural lessee in addition to the fine or imprisonment prescribed in this Code for unauthorized dispossession;

(2) To require the agricultural lessee to assume, directly or indirectly, the payment of the taxes or part thereof levied by the government on the landholding;

(3) To require the agricultural lessee to assume, directly or indirectly, any part of the rent, “canon” or other consideration which the agricultural lessor is under obligation to pay to third persons for the use of the land;

(4) To deal with millers or processors without written authorization of the lessee in cases where the crop has to be sold in processed form before payment of the rental; or

(5) To discourage, directly or indirectly, the formation, maintenance or growth of unions or organizations of agricultural lessees in his landholding, or to initiate, dominate, assist or interfere in the formation or administration of any such union or organization.

SEC. 32. *Cost of Irrigation System.*—The cost of construction of a permanent irrigation system, including distributory canals, may be borne exclusively by the agricultural lessor who shall be entitled to an increase in rental proportionate to the resultant increase in production; *Provided*, That if the agricultural lessor refuses to bear the expenses of construction the agricultural lessee or lessees may shoulder the same, in which case the former shall not be entitled to an increase in rental and shall, upon the termination of the relationship, pay the lessee or his heir the reasonable value of the improvement at the time of the termination: *Provided, further*, That if the irrigation system constructed does not work, it shall not be considered as an improvement within the meaning of this Section.

SEC. 33. *Manner, Time and Place of Rental Payment.*—The consideration for the lease of the land shall be paid in an amount certain in money or in produce, or both, payable at the place agreed upon by the parties immediately after threshing or processing if the consideration is in kind, or within a reasonable time thereafter, if not in kind.

In no case shall the agricultural lessor require the agricultural lessee to file a bond, make a deposit or pay the rental in advance, in money or in kind or in both, but a special and preferential lien is

hereby created in favor of the agricultural lessor over such portion of the gross harvest necessary for the payment of the rental due in his favor.

SEC. 34. *Consideration for the Lease of Riceland and Lands Devoted to Other Crops.*—The consideration for the lease of riceland and lands devoted to other crops shall not be more than the equivalent of twenty-five *per centum* of the average normal harvest during the three agricultural years immediately preceding the date the leasehold was established after deducting the amount used for seeds and the cost of harvesting, threshing, loading, hauling and processing, whichever are applicable: *Provided*, That if the land has been cultivated for a period of less than three years, the initial consideration shall be based on the average normal harvest during the preceding years when the land was actually cultivated, or on the harvest of the first year in the case of newly-cultivated lands, if that harvest is normal: *Provided, further*, That after the lapse of the first three normal harvests, the final consideration shall be based on the average normal harvest during these three preceding agricultural years: *Provided, furthermore*, That in the absence of any agreement between the parties as to the rental, the maximum allowed herein shall apply: *Provided, finally*, That if capital improvements are introduced on the farm not by the lessee to increase its productivity, the rental shall be increased proportionately to the consequent increase in production due to said improvements. In case of disagreement, the Court shall determine the reasonable increase in rental.

SEC. 35. *Exemption from Leasehold of Other Kinds of Lands.*—Notwithstanding the provisions of the preceding Sections, in the case of fishponds, saltbeds, and lands principally planted to citrus, coconuts, cacao, coffee, durian, and other similar permanent trees at the time of the approval of this Code, the consideration, as well as the tenancy system prevailing, shall be governed by the provisions of Republic Act Numbered Eleven hundred and ninety-nine, as amended.

SEC. 36. *Possession of Landholding; Exceptions.*— Notwithstanding any agreement as to the period or future surrender of the land, an agricultural lessee shall continue in the enjoyment and possession of his landholding except when his dispossession has been authorized by the Court in a judgment that is final and executory if after due hearing it is shown that:

(1) The agricultural lessor-owner or a member of his immediate family will personally cultivate the landholding or will convert the landholding, if suitably located, into residential, factory, hospital or school site or other useful non-agricultural purposes: *Provided*, That the agricultural lessee shall be entitled to disturbance compensation equivalent to five years rental on his landholding in addition to his rights under Sections twenty-five and thirty-four, except when the land owned and leased by the agricultural lessor is not more than five hectares in which case instead of disturbance compensation the lessee may be entitled to an advanced notice of at least one agricultural year before ejectment proceedings are filed against him: *Provided, further*, That should the landholder not cultivate the land himself for three years or fail to substantially carry out such conversion within one year after the dispossession of the tenant, it shall be presumed that he acted in bad faith and the tenant shall have the right to demand possession of the land and recover damages for any loss incurred by him because of said dispossession;

(2) The agricultural lessee failed to substantially comply with any of the terms and conditions of the contract or any of the provisions of this Code unless his failure is caused by fortuitous event or *force majeure*;

(3) The agricultural lessee planted crops or used the landholding for a purpose other than what had been previously agreed upon;

(4) The agricultural lessee failed to adopt proven farm practices as determined under paragraph 3 of Section twenty-nine;

(5) The land or other substantial permanent improvement thereon is substantially damaged or destroyed or has unreasonably deteriorated through the fault or negligence of the agricultural lessee;

(6) The agricultural lessee does not pay the lease rental when it falls due: *Provided*, That if the non-payment of the rental shall be due to crop failure to the extent of seventy-five *per centum* as a result of a fortuitous event, the non-payment shall not be a ground for dispossession, although the obligation to pay the rental due that particular crop is not thereby extinguished; or

(7) The lessee employed a sub-lessee on his landholding in violation of the terms of paragraph 2 of Section twenty-seven.

SEC. 37. *Burden of Proof*.—The burden of proof to show the existence of a lawful cause for the ejectment of an agricultural lessee shall rest upon the agricultural lessor.

SEC. 38. *Statute of Limitations*.—An action to enforce any cause of action under this Code shall be barred if not commenced within three years after such cause of action accrued.

CHAPTER II.—BILL OF RIGHTS FOR AGRICULTURAL LABOR

SEC. 39. *Rights for Agricultural Labor*—To enable the farm workers to enjoy the same rights and opportunities in life as industrial workers, they shall enjoy the following:

- (1) Right to self-organization;
- (2) Right to engage in concerted activities;
- (3) Right to minimum wage;
- (4) Right to work for not more than eight hours;

(5) Right to claim for damages for death or injuries sustained while at work;

(6) Right to compensation for personal injuries, death or illness; and

(7) Right against suspension or lay-off.

SEC. 40. *Right to Self-Organization.*—The farm workers shall have the right to self-organization and to form, join or assist farm workers' organizations of their own choosing for the purpose of collective bargaining through representatives of their own choosing: *Provided*, That this right shall be exercised in a manner as will not unduly interfere with the normal farm operations. Individuals employed as supervisors shall not be eligible for membership in farm workers' organizations under their supervision but may form separate organizations of their own.

SEC. 41. *Right to Engage in Concerted Activities.*—The farm workers shall also have the right to engage in concerted activities for the purpose of collective bargaining and other mutual aid or protection.

For the purpose of this and the preceding Section, it shall be the duty of the farm employer or manager to allow the farm workers, labor leaders, organizers, advisers and helpers complete freedom to enter and leave the farm, plantation or compound at the portion of the same where said farm workers live or stay permanently or temporarily.

SEC. 42. *Right to Minimum Wage.*—Notwithstanding any provision of law or contract to the contrary, farm workers in farm enterprises shall be entitled to at least P3.50 a day for eight hours' work: *Provided*, That this wage may, however, be increased by the Minimum Wage Board as provided for in Republic Act Numbered Six hundred and two.

SEC. 43. *Right to Eight Hours' Work.*—Notwithstanding the provision of existing laws to the contrary, farm workers shall not be required to work for more than eight hours daily. When the work is not continuous, the time during which the farm worker is not working and can leave his working place and can rest completely shall not be counted.

Work may be performed beyond eight hours a day in case of actual or impending emergencies caused by serious accidents, fire, flood, typhoon, epidemic, or other disaster or calamity, or in case of urgent work to be performed on farm machines, equipment or installations in order to avoid a serious loss which the farm employer or manager would otherwise suffer, or some other just cause of a similar nature, but in all such cases the farm workers shall be entitled to receive compensation for the overtime work performed at the same rate as their regular wages, plus at least twenty-five *per centum* additional, based on their daily wages.

No farm employer or manager shall compel a farm worker to work during Sundays and legal holidays: *Provided, however,* That should the farm worker agree to work on said days, he shall be paid an additional sum of at least twenty-five *per centum* of his regular compensation: *Provided, further,* That the farm employer or manager shall not be held liable for any claim for overtime work which he had not previously authorized, except if the work rendered was to avoid damages to crops, produce, work animals or implements, buildings or the like.

Any agreement or contract between the farm employer or manager and the farm worker contrary to the provisions of this Section shall be null and void.

SEC. 44. *Right of Action for Damages.*—Notwithstanding the provisions of existing laws to the contrary, Act Numbered Eighteen hundred and seventy-four, as amended, entitled “An Act to extend and regulate the responsibility of employers for personal injuries and death suffered by their employees while at work”, shall apply to farm workers insofar as it may be applicable.

SEC. 45. *Right to Compensation for Personal Injuries, Death, or Illness.*—Notwithstanding the provisions of existing laws to the contrary, Act Numbered Thirty-four hundred and twenty-eight, as amended, entitled “An Act prescribing the compensation to be received by employees for personal injuries, death or illness contracted in the performance of their duties”, shall apply to farm workers insofar as it may be applicable.

SEC. 46. *Right Against Suspension or Lay-Off.*—The landowner, farm employer or farm manager shall not suspend, lay-off, or dismiss any farm worker without just cause from the time a farm workers’ organization or group of farm workers has presented to the landowner a petition or complaint regarding any matter likely to cause a strike or lockout and a copy thereof furnished with the Department of Labor, or while an agricultural dispute is pending before the Court of Agrarian Relations. If it is proved during the said period that a worker has been suspended or dismissed without just cause, the Court may direct the reinstatement and the payment of his wage during the time of his suspension or dismissal, or of any sum he should have received had he not been suspended or dismissed, without prejudice to any criminal liability of the landowner, farm employer or farm manager as prescribe by Section twenty-four of Commonwealth Act Numbered One hundred and three, as amended.

SEC. 47. *Other Applicable Provisions.*—All other existing laws applicable to non-agricultural workers in private enterprises which are not inconsistent with this Code shall likewise apply to farm workers, farm labor organizations and agrarian disputes as defined in this Code, as well as to relations between farm management and farm labor and the functions of the Department of Labor and other agencies.

SEC. 48. *Exceptions to Preceding Sections.*—The preceding Sections of this Chapter, except Sections forty, forty-one, forty-two and forty-three shall not apply to farm enterprises comprising not more than twelve hectares.

CHAPTER III.—LAND AUTHORITY

ARTICLE I.—*Organization and Functions of the Land Authority*

SEC. 49. *Creation of the Land Authority.*—For the purpose of carrying out the policy of establishing owner-cultivatorship and the economic family-size farm as the basis of Philippine agriculture and other policies enunciated in this Code, there is hereby created a Land Authority, hereinafter called the Authority, which shall be directly under the control and supervision of the President of the Philippines. The Authority shall be headed by a Governor who shall be appointed by the President with the consent of the Commission on Appointments.

He shall be assisted by two Deputy Governors who shall be appointed by the President with the consent of the Commission on Appointments, each of whom shall head such operating departments as may be set up by the Governor. The Governor and the Deputy Governors shall hold office for five years.

SEC. 50. *Qualifications and Compensation of Governors.*—No person shall be appointed Governor or Deputy Governor of the Authority unless he is a natural-born citizen of the Philippines, with adequate background and experience in land reform here and/or elsewhere, and at least thirty-five years of age.

The Governor shall receive an annual compensation of twenty-four thousand pesos; the Deputy Governors shall each receive an annual compensation of eighteen thousand pesos.

SEC. 51. *Powers and Functions.*—It shall be the responsibility of the Authority:

(1) To initiate and prosecute expropriation proceedings for the acquisition of private agricultural lands as defined in Section one hundred sixty-six of Chapter XI of this Code for the purpose of subdivision into economic family-size farm units and resale of said farm units to *bona fide* tenants, occupants and qualified farmers:

Provided, That the powers herein granted shall apply only to private agricultural lands subject to the terms and conditions and order of priority hereinbelow specified:

a. all idle or abandoned private agricultural lands, except those held or purchased within one year from the approval of this Code by private individuals or corporations for the purpose of resale and subdivision into economic family-size farm units in accordance with the policies enunciated in this Code: *Provided*, That the subdivision and resale shall be substantially carried out within one year from the approval of this Code;

b. all private agricultural lands suitable for subdivision into economic family-size farm units, owned by private individuals or corporations worked by lessees, no substantial portion of whose landholding in relation to the area sought to be expropriated, is planted to permanent crops under labor administration, in excess of seventy-five hectares except all private agricultural lands under labor administration and lands acquired under Section seventy-one of this Code; and

c. in expropriating private agricultural lands declared by the National Land Reform Council or by the Land Authority within a land reform district to be necessary for the implementation of the provisions of this Code, the following order of priority shall be observed:

1. idle or abandoned lands;
2. those whose area exceeds 1,024 hectares;
3. those whose area exceeds 500 hectares but is not more than 1,024 hectares;
4. those whose area exceeds 144 hectares but is not more than 500 hectares; and
5. those whose area exceeds 75 hectares but is not more than 144 hectares.

(2) To help *bona fide* farmers without lands or agricultural owner-cultivators of uneconomic-size farms to acquire and own economic family-size farm units;

(3) To administer and dispose of agricultural lands of the public domain under the custody and administration of the National Resettlement and Rehabilitation Administration prior to the approval of this Code and such other public agricultural lands as may hereafter be reserved by the President of the Philippines for resettlement and sale, in accordance with such terms and conditions as are set forth under this Chapter: *Provided*, That the exercise of the authority granted herein, as well as in the preceding subparagraph, shall not contravene public policy on the permanency of forest reserves or other laws intended for the preservation and conservation of public forests;

(4) To develop plans and initiate actions for the systematic opening of alienable and disposable lands of the public domain for speedy distribution to and development by deserving and qualified persons or corporations;

(5) To recommend to the President, from time to time after previous consultation with the Secretary of Agriculture and Natural Resources, what portion of the alienable or disposable public lands shall be reserved for settlement or disposition under this Chapter;

(6) To give economic family-size farms to landless citizens of the Philippines who need, deserve, and are capable of cultivating the land personally, through organized resettlement, under the terms and conditions the Authority may prescribe, giving priority to qualified and deserving farmers in the province where such lands are located;

(7) To reclaim swamps and marshes, obtain titles there to whenever feasible and subdivide them into economic family-size farms for distribution to deserving and qualified farmers;

(8) To undertake measures which will insure the early issuance of titles to persons or corporations who have actually settled and cultivated disposable and alienable lands of the public domain;

(9) To survey, subdivide and set aside lands or areas of landholdings under its administration for economic family-size farms, large-scale farm operations, town sites, roads, parks, government centers and other civic improvements as circumstances may warrant and to submit subdivision survey plans conducted either by the government or private surveyors on parcels of lands under its administration for verification and approval either by the Director of Lands or by the Land Registration Commission;

(10) To inform the Agricultural Productivity Commission and the Office of the Agrarian Counsel of the problems of settlers and farmers on lands under its administration;

(11) To acquire for agricultural lessees exercising their right of pre-emption under Chapter I of this Code, any landholdings mentioned thereunder;

(12) To conduct land capability survey and classification of the entire country and print maps;

(13) To make such arrangements with the Land Bank with respect to titles of agricultural lands of the public domain under its administration as will be necessary to carry out the objectives of this Code;

(14) To expropriate home lots occupied by agricultural lessees outside their landholdings for resale at cost to said agricultural lessees; and

(15) To submit to the President of the Philippines and to both Houses of Congress through their presiding officers, to the Secretary of Finance and to the Auditor General within sixty days of the close of the fiscal year, an annual report showing its

accomplishments during the year; the expropriation proceedings it has undertaken; the expenditures it has incurred and other financial transactions undertaken with respect thereto.

SEC. 52. *Appointment of Subordinate Officials and Employees.*—The Governor shall organize the personnel in such departments, divisions and sections of the Authority as will insure their maximum efficiency. He shall appoint, subject to civil service rules and regulations, fix the compensation, subject to WAPCO rules and regulations, and determine the duties of subordinate officials and employees as the exigencies of the service may require.

ARTICLE II.—*Expropriation of Private Agricultural Lands*

SEC. 53. *Compulsory Purchase of Agricultural Lands.*—The Authority shall, upon petition in writing of at least one-third of the lessees and subject to the provisions of Chapter VII of this Code, institute and prosecute expropriation proceedings for the acquisition of private agricultural lands and home lots enumerated under Section fifty-one. In the event a landowner agrees to sell his property under the terms specified in this Chapter and the National Land Reform Council finds it suitable and necessary to acquire such property, a joint motion embodying the agreement, including the valuation of the property, shall be submitted by the Land Authority and the landowner to the Court for approval: *Provided*, That in such case, any person qualified to be a beneficiary of such expropriation or purchase may object to the valuation as excessive, in which case the Court shall determine the just compensation in accordance with Section fifty-six of this Code.

SEC. 54. *Possession of the Land; Procedure.*—The Authority, after commencing the expropriation suit, may take immediate possession of the land upon deposit with the Court that has acquired jurisdiction over the expropriation proceedings in accordance with the Rules of Court, of money, and bonds of the Land Bank, in accordance with the proportions provided for under Section eighty of this Code, equal to the value as determined by the Court in accordance with the provisions of Section fifty-six hereof.

SEC. 55. *Expeditious Survey and Subdivision.*—Immediately after the Authority takes possession of lands to be acquired by it under this Code, it shall undertake a subdivision survey of the land into economic family-size farms which shall be immediately assigned to beneficiaries selected in accordance with Section one hundred and twenty-eight subject to such rules and regulations as it may prescribe.

SEC. 56. *Just Compensation.*—In determining the just compensation of the land to be expropriated pursuant to this Chapter, the Court, in land under leasehold, shall consider as a basis, without prejudice to considering other factors also, the annual lease rental income authorized by law capitalized at the rate of six *per centum per annum*.

The owner of the land expropriated shall be paid in accordance with Section eighty of this Act by the Land Bank and pursuant to an arrangement herein authorized.

SEC. 57. *Duty of Court in Expropriation Proceedings.*—In expropriation proceedings, it shall be the duty of the Court to include in its resolution or order of expropriation a provision that the Land Authority shall, after taking possession of the land and after the subdivision thereof, allow the Land Bank to have the title thereto for the purpose of paying the owner the just compensation therefor.

SEC. 58. *Issuance of Certificates of Title for Parcel or Lot.*—After the payment of just compensation on the land expropriated the Land Bank shall cause the issuance of separate certificates of titles for each parcel or lot in accordance with the subdivision survey made under Section fifty-five.

SEC. 59. *Prohibition Against Alienation and Ejectment.*—Upon the filing of the petition referred to in Section fifty-three the landowner may not alienate any portion of the land covered by such petition except in pursuance of the provisions of this Code, or enter into any form of contract to defeat the purposes of this Code, and no ejectment proceedings against any lessee or occupant of the land

covered by the petition shall be instituted or prosecuted until it becomes certain that the land shall not be acquired by the Authority.

SEC. 60. *Disposition of Expropriated Land.*—After separate certificates of titles have been issued in accordance with Section fifty-eight, the Land Authority, on behalf of the Republic of the Philippines and in representation of the Land Bank as the financing agency, shall allot and sell each parcel or lot to a qualified beneficiary selected under Section fifty-five of this Code, subject to uniform terms and conditions imposed by the Land Bank: *Provided*, That the resale shall be at cost which shall mean the purchase price plus not more than six *per centum per annum*, which shall cover administrative expenses, and actual expenses for subdivision, surveying, and registration: *Provided, further*, That such cost shall be paid on the basis of an amortization plan not exceeding twenty-five years at the option of the beneficiary.

In case some agricultural lessees working portions of agricultural lands acquired by the government under this Code prefer to remain as lessees thereof, which preference shall be expressed in writing and attested by a representative of the Office of Agrarian Counsel, the resale and redistribution to them shall be deferred until such time that such lessees are ready and willing to assume the obligations and responsibilities of independent owners, which shall be manifested by a written notice to this effect by the lessees and which shall oblige the Land Authority forthwith to allot and sell such portions to such lessees under the same uniform terms and conditions. Pending the sale, such lessees shall continue to work on their landholdings and receive the produce thereof, subject, however, to the requirement that they pay the Land Bank the allowable rental established in Section thirty-four. The Land Bank shall apply the rental to the six percent added to the acquisition price and credit the balance to the acquisition cost in the name of the lessee as partial payment for the land.

The Land Authority shall administer said parcels of land during the period they are under lease. Competent management and adequate production credit shall be provided in accordance with

the program developed by the Land Reform Project Team for such area.

SEC. 61. *Organization of Cooperative Associations.*—For the purpose of more efficient management, adoption of modern farm methods and techniques, and spreading risk, either through diversification of farm projects or mutual assumption of risks, the farmer beneficiaries may organize themselves into cooperative associations with the advice or assistance of the Agricultural Productivity Commission and in accordance with the guidelines established by said Commission for such associations.

SEC. 62. *Limitation on Land Rights.*—Except in case of hereditary succession by one heir, landholdings acquired under this Code may not be resold, mortgaged, encumbered, or transferred until after the lapse of ten years from the date of full payment and acquisition and after such ten-year period, any transfer, sale or disposition may be made only in favor of persons qualified to acquire economic family-size farm units in accordance with the provisions of this Code: *Provided*, That a purchaser who acquired his landholding under a contract to sell may secure a loan on the same from any private lending institution or individual for an amount not exceeding his equity on said landholding upon a guaranty by the Land Bank.

SEC. 63. *Inscription of Specific Prohibition Against Resale and Subdivision of Landholding.*—Certificates of titles of landholdings acquired by the Land Authority and resold to purchasers shall contain therein a specific inscription prohibiting further subdivision and the resale, transfer or encumbrance of said landholdings except as provided in the preceding Section.

SEC. 64. *Exemption from Attachment.*—Lands acquired under the provisions of this Chapter shall be exempt from execution and attachment, except when the land itself is the property mortgaged, in accordance with Section sixty-two of this Code.

SEC. 65. *Precedence of Expropriation Cases.*—Expropriation cases filed by the Authority under the provisions of this Chapter

shall take precedence over all other civil cases pending before the Court and shall be terminated within a period not exceeding six months from the date of filing.

ARTICLE III.—*Distribution of Agricultural Lands of the Public Domain*

SEC. 66. *Title to Public Agricultural Land.*—Upon reservation by the President of the Philippines of public agricultural land available for disposition by the Land Authority, such land shall be surveyed, titled and transferred to the Land Bank, which shall reduce said title into individual titles for specific parcels or lots in accordance with the subdivision survey conducted by the Land Authority under paragraph 9 of Section fifty-one: *Provided, however,* That existing laws governing the acquisition of public lands shall have been complied with.

The Land Authority shall thereupon distribute in accordance with the provisions of this Code, each parcel or lot, subject to the terms and conditions of the Land Bank, to a beneficiary selected pursuant to Section seventy-one or in accordance with paragraph 3 of Section fifty-one, to a beneficiary selected pursuant to paragraph 3 of Section one hundred twenty-eight.

SEC. 67. *Census of Settlements.*—The Authority shall take a census of all settlements already made or started by farmers on their own initiative on public agricultural lands, forest lands, and on private titled lands which had been cleared, occupied and cultivated wholly or partially by them, with or without legal sanction. The census shall include, among other things, the *bona fide* character of the settlements, the character of the settlers or farmers, the exact status of the lands settled, the feasibility of enlarging the settlements, particularly in connection with the resources of the land occupied and the neighboring areas, actual and potential accessibility to markets, as well as strategic location of the settlement with respect to national security.

SEC. 68. *Assistance to Settlers in Transporting Themselves and Their Belongings.*—The Authority may, in certain projects, assist settlers in transporting themselves, their belongings, work animals and farm equipment, if any, from the communities from which they are migrating to the settlement areas reserved for the purpose and for subsistence necessary until credit can be provided by government financing agencies, or by any other credit institution by loaning to them the full amount required for such purposes. These loans from the Land Authority shall be non-interest bearing, shall constitute a lien upon the land, and shall be amortized over a period of ten years, payable annually beginning with the end of the third year, after the date of arrival in the settlement areas, subject to the right of the borrower to pay in full at any time prior to the maturity of the loan.

SEC. 69. *Assistance to Settlers in Securing Equipment.*— The Authority may assist the settlers in securing equipment, supplies and materials needed; or assist the cooperative associations of the new settlers in securing the most advantageous prices or terms on farm implements and supplies needed.

SEC. 70. *Providing Housing and Accommodations to Settlers.*— The Authority may help provide housing and other accommodations for the new settlers upon their arrival in the settlement areas by stationing them in properly surveyed and subdivided lots reserved for the purpose; help them organize community activities; and cooperate with the Bureau of Health, the Bureau of Public Schools and other pertinent agencies of the Government, in providing services necessary for the proper establishment of community facilities.

SEC. 71. *Power of the Land Authority to Sell to Holders of Bonds Issued to Former Landowners Whose Lands Have Been Purchased for Redistribution.*—The Land Authority shall sell, for a price not less than the appraised value, any portion not exceeding one hundred forty-four hectares in the case of individuals or one thousand twenty-four hectares in the case of corporations of the public agricultural lands transferred to the Land Bank which

is suitable for large-scale farm operations to any holder, who is qualified to acquire agricultural lands through purchase, of bonds issued to former landowners whose lands have been purchased for redistribution under this Code, subject to the condition that the purchaser shall, within two years after acquisition, place under cultivation at least thirty *per centum* of the entire area under plantation administration and the remaining seventy *per centum* within five years from the date of acquisition. The Governor of the Land Authority shall issue the title of said land upon showing that the purchaser has begun the development and cultivation of his land under plantation administration: *Provided*, That public agricultural land sold as hereinabove specified shall not be the object of any expropriation as long as the same shall be developed and cultivated for large-scale production under farm labor management, except as allowed by the Constitution.

The selling price of the portion of the public agricultural land sold under this Section shall be credited to the Government's subscription to the Land Bank. As payment for the land sold under this Section, the Land Bank shall accept as sole instruments of payment the bonds issued pursuant to Section seventy-six. Issued bonds accepted as payment for the land sold shall be cancelled to the extent of the amount paid.

All sales under this Code shall be subject to the provision of Chapter V of the Public Land Act covering sales of public agricultural lands insofar as they are not inconsistent with the provisions of this Code.

SEC. 72. Duplicate Records to be Furnished the Bureau of Lands.—The Land Authority shall furnish the Bureau of Lands with the duplicate records of proceedings on applications for the sale or other disposition of public agricultural lands under its administration.

SEC. 73. Transfer of Appropriations, Powers, Functions, etc.—The National Resettlement and Rehabilitation Administration and the Land Tenure Administration are hereby abolished and their

powers and functions not inconsistent with this Code, balances of all appropriations, funds, equipment, records and supplies, as well as agricultural lands, public and private, under their administration, are hereby transferred to the Authority: *Provided*. That the function of the Land Tenure Administration with respect to the expropriation of urban lands as provided by existing laws is hereby transferred to and shall hereafter be undertaken by the People's Homesite and Housing Corporation.

In addition to the appropriations herein transferred, there is hereby appropriated from the general funds in the National Treasury not otherwise appropriated the sum of five million pesos, or so much thereof as may be necessary, to carry out the purposes of this Code.

To carry out the land capability survey and classification mentioned in paragraph 12 of Section fifty-one and Section one hundred thirty-two of this Code, there is hereby appropriated out of the unappropriated funds of the National Treasury the amount of ten million pesos.

CHAPTER IV.—LAND BANK

SEC. 74. *Creation*.—To finance the acquisition by the Government of landed estates for division and resale to small landholders, as well as the purchase of the land-holding by the agricultural lessee from the landowner, there is hereby established a body corporate to be known as the "Land Bank of the Philippines", hereinafter called the "Bank", which shall have its principal place of business in Manila. The legal existence of the Bank shall be for a period of fifty years counting from the date of the approval hereof. The Bank shall be subject to such rules and regulations as the Central Bank may from time to time promulgate.

SEC. 75. *Powers in General*.—To carry out this main purpose, the Bank shall have the power:

(1) To prescribe, repeal, and alter its own by-laws, to determine its operating policies, and to issue such rules and regulations as may be necessary to achieve the main purpose for the creation of the Bank;

(2) To adopt, alter and use a corporate seal;

(3) To acquire and own real and personal property, and to sell, mortgage or otherwise dispose of the same;

(4) To sue and be sued, make contracts, and borrow money from both local and foreign sources. Such loans shall be subject to approval by the President of the Philippines and shall be fully guaranteed by the Government of the Philippines;

(5) Upon recommendation of the Committee on Investments, to hold, own, purchase, acquire, sell or otherwise invest, or reinvest in stocks, bonds or other securities capable of giving the Bank a reasonably assured income sufficient to support its financing activities and give its private stockholders a fair return on their holdings: *Provided, however,* That pending the organization of the Committee on Investments, the Bank may exercise the powers herein provided without the recommendation of said Committee on Investments: *Provided, further,* That in case of the dissolution of the Land Bank all unsold public lands transferred to it which may be allocated to the Government of the Philippines in the course of liquidation of the business of the Bank shall revert to the Department of Agriculture and Natural Resources; and

(6) To provide, free of charge, investment counseling and technical services to landowners whose lands have been acquired by the Land Bank. For this purpose, the Land Bank may contract the services of private consultants.

SEC. 76. *Issuance of Bonds.*—The Land Bank shall, upon recommendation by the Board of Trustees and approval of the Monetary Board of the Central Bank, issue bonds, debentures and other evidences of indebtedness at such terms, rates and conditions

as the Bank may determine up to an aggregate amount not exceeding, at any one time, five times its unimpaired capital and surplus. Such bonds and other obligations shall be secured by the assets of the Bank and shall be fully tax exempt both as to principal and income. Said income shall be paid to the bondholder every six (6) months from the date of issue. These bonds and other obligations shall be fully negotiable and unconditionally guaranteed by the Government of the Republic of the Philippines and shall be redeemable at the option of the Bank at or prior to maturity, which in no case shall exceed twenty-five years. These negotiable instruments of indebtedness shall be mortgageable in accordance with established banking procedures and practices to government institutions not to exceed sixty *per centum* of their face value to enable the holders of such bonds to make use of them in investments in productive enterprises. They shall also be accepted as payments for reparation equipment and materials.

The Board of Trustees shall have the power to prescribe rules and regulations for the registration of the bonds issued by the Bank at the request of the holders thereof.

SEC. 77. *Issuance of Preferred Shares of Stock to Finance Acquisition of Landed Estates.*—The Land Bank shall issue, from time to time, preferred shares of stock in such quantities not exceeding six hundred million pesos worth of preferred shares as may be necessary to pay the owners of landed estates in accordance with Sections eighty and eighty-one of this Code. The amount of shares that the Bank may issue shall not exceed the aggregate amount needed to pay for acquired estates in the proportions prescribed in said Section eighty of this Code. The Board of Trustees shall include as a necessary part of the by-laws that it shall issue under Section seventy-five of this Code, such formula as it deems adequate for determining the net asset value of its holdings as a guide and basis for the issuance of preferred shares. The shares of stock issued under the authority of this provision shall be guaranteed a rate of return of six *per centum per annum*. In the event that the earnings of the Bank for any single fiscal year are not sufficient to enable the Bank, after making reasonable allowance for administration,

contingencies and growth, to declare dividends at the guaranteed rate, the amount equivalent to the difference between the Bank's earnings available for dividends and that necessary to pay the guaranteed rate shall be paid by the Bank out of its own assets but the Government shall, on the same day that the Bank makes such payment, reimburse the latter in full, for which purpose such amounts as may be necessary to enable the Government to make such reimbursements are hereby appropriated out of any moneys in the National Treasury not otherwise appropriated. The Bank shall give sufficient notice to the Budget Commissioner and the President of the Philippines in the event that it is not able to pay the guaranteed rate of return on any fiscal period. The guaranteed rate of return on these shares shall not preclude the holders thereof from participating at a percentage higher than six *per centum* should the earnings of the Bank for the corresponding fiscal period exceed the guaranteed rate of return. The Board of Trustees shall declare and distribute dividends within three months after the close of each fiscal year at the guaranteed rate unless a higher rate of return is justified by the Bank's earnings after making reasonable allowance for administration, contingencies and growth, in which case dividends shall be declared and distributed at a higher rate. The capital gains derived from the sale or transfer of such shares and all income derived therefrom in the form of dividends shall be fully exempt from taxes.

SEC. 78. *Special Guaranty Fund.*—In the event that the Bank shall be unable to pay the bonds, debentures, and other obligations issued by it, a fixed amount thereof shall be paid from a special guaranty fund to be set up by the Government, to guarantee the obligation of the Land Bank, and established in accordance with this Section, and thereupon, to the extent of the amounts so paid, the Government of the Republic of the Philippines shall succeed to all the rights of the holders of such bonds, debentures or other obligations: *Provided, however,* That for the next four years after the establishment of the Bank, the payment to the special guaranty fund should not exceed one million pesos per year, after which period, the Government shall pay into the guaranty fund the sum of five hundred thousand pesos each year until the cumulative

total of such guaranty fund is no less than twenty percent of the outstanding net obligation of the Land Bank at the end of any single calendar year.

The guaranty fund shall be administered by the Central Bank of the Philippines in the manner most consistent with its charter. For the purpose of such fund, there shall be appropriated annually the sum of one million pesos out of any moneys in the National Treasury not otherwise appropriated, until the total amount of twenty million pesos shall have been attained.

SEC. 79. *Receiving Payments and Time Deposits.*—The Bank, under the supervision of the Monetary Board and subject to the provisions of the General Banking Act, shall receive savings and time deposits from the small landholders in whose favor public lands or landed estates acquired by the Land Authority have been sold and, for this purpose, establish, and maintain branches and offices in such areas as may be necessary to service such deposits. The Monetary Board shall supervise and authorize the Bank to receive savings and time deposits from the public in areas where facilities for such a service do not exist or cannot be adequately provided by other deposit institutions.

SEC. 80. *Making Payment to Owners of Landed Estates.*—The Land Bank shall make payments in the form herein prescribed to the owners of land acquired by the Land Authority for division and resale under this Code. Such payment shall be made in the following manner: ten *per centum* in cash and the remaining balance in six percent, tax-free, redeemable bonds issued by the Bank in accordance with Section seventy-six, unless the landowner desires to be paid in shares of stock issued by the Land Bank in accordance with Section seventy-seven in an amount not exceeding thirty *per centum* of the purchase price.

In the event there is an existing lien or encumbrance on the land in favor of any Government institution at the time of acquisition by the Land Bank, the bonds and/or shares, in that order, shall be accepted as substitute collaterals to secure the indebtedness.

The profits accruing from payment shall be exempt from the tax on capital gains.

SEC. 81. *Capital*.—The authorized capital stock of the Bank shall be one billion five hundred million pesos divided into ninety million shares with a par value of ten pesos each, which shall be fully subscribed by the Government and sixty million preferred shares with a par value of ten pesos each which shall be issued in accordance with the provisions of Sections seventy-seven and eighty-three of this Code. Of the total capital subscribed by the Government, two hundred million pesos shall be paid by the Government within one year from the approval of this Code, and one hundred million pesos every year thereafter for two years for which purpose the amount of two hundred million pesos is hereby appropriated upon the effectivity of this Code, and one hundred million pesos every year for the next two years thereafter, out of the funds in the National Treasury not otherwise appropriated for the purpose: *Provided*, That if there are not enough funds in the National Treasury for the appropriation herein made, the Secretary of Finance, with the approval of the President of the Philippines, shall issue bonds or other evidence of indebtedness to be negotiated either locally or abroad in such amount as may be necessary to cover any deficiency in the amount above appropriated but not exceeding four hundred million pesos, the proceeds of which are hereby appropriated: *Provided, further*, That the bonds to be issued locally shall not be supported by the Central Bank: *Provided, finally*, That there is automatically appropriated out of the unappropriated funds in the National Treasury such amounts as is necessary to cover the losses which shall include among other things loss of earnings occasioned by the limitation of the resale cost herein provided such that said amount together with the administrative expenses mentioned in Section ninety hereof shall not exceed in the aggregate the equivalent of two and one-half *per centum* of its assets limited therein.

SEC. 82. *Government Shares*.—All shares of stock in the Bank subscribed or owned by the Government shall not be entitled to participate in the income earned by the Bank from its investments

and other operations, whether in the form of cash or stock dividends or otherwise. Amounts expended for the administration of the Bank shall not be deemed as a participation of the Government in income.

SEC. 83. *Preferred Shares*.—All preferred shares of stock issued under Section seventy-seven of this Code shall be entitled to the income earned by the Bank on its investments and other operations and shall have a limited right to elect annually one member of the Board of Trustees and one member of the Committee on Investments: *Provided*, That the holders of such preferred shares of stock shall not bring derivative suits against the Bank. Such preferred shares shall be fully transferable: *Provided, further*, That upon the liquidation of the Bank, the redemption of such preferred shares shall be given priority and shall be guaranteed at par value.

SEC. 84. *Voting of Shares*.—The voting power of all the shares of stock of the Land Bank owned or controlled by the Government shall be vested in the President of the Philippines or in such person or persons as he may from time to time designate.

SEC. 85. *Use of Bonds*.—The bonds issued by the Land Bank may be used by the holder thereof and shall be accepted in the amount of their face value as any of the following:

(1) Payment for agricultural lands or other real properties purchased from the Government;

(2) Payment for the purchase of shares of stock of all or substantially all of the assets of the following Government owned or controlled corporations: The National Development Company; Cebu Portland Cement Company; National Shipyards and Steel Corporation; Manila Gas Corporation; and the Manila Hotel Company.

Upon offer by the bondholder, the corporation owned or controlled by the Government shall, through its Board of Directors, negotiate with such bondholder with respect to the price and other terms and conditions of the sale. In case there are various

bondholders making the offer, the one willing to purchase under terms and conditions most favorable to the corporation shall be preferred. If no price is acceptable to the corporation, the same shall be determined by a Committee of Appraisers composed of three members, one to be appointed by the corporation, another by the bondholder making the highest or only offer, and the third by the two members so chosen. The expenses of appraisal shall be borne equally by the corporation and the successful purchaser.

Should the Government offer for sale to the public any or all of the shares of stock or the assets of any of the Government owned or controlled corporations enumerated herein, the bidder who offers to pay in bonds of the Land Bank shall be preferred provided that the various bids be equal in every respect except in the medium of payment.

(3) Surety or performance bonds in all cases where the Government may require or accept real property as bonds; and

(4) Payment for reparations goods.

SEC. 86. *Board of Trustees.*—The affairs and business of the Bank shall be directed, its powers exercised and its property managed and preserved by a Board of Trustees. Such Board shall be composed of one Chairman and four members, one of whom shall be the head of the Land Authority who shall be an *ex-officio* member of such Board and another to be elected by the holders of preferred shares. The Chairman and two members of the Board of Trustees shall serve on full-time basis with the Bank. With the exception of the head of the Land Authority and the member elected by the holders of preferred shares, the Chairman and all members of the Board shall be appointed by the President with the consent of the Commission on Appointments for a term of seven years, except that the first Chairman and members to be appointed under this Code shall serve for a period of three, five and seven years, such terms to be specified in their respective appointments. Thereafter the Chairman and members, with the exception of the *ex-officio* member, appointed after such initial appointment shall serve for

a term of seven years including any Chairman or member who is appointed in place of one who resigns or is removed or otherwise vacates his position before the expiration of his seven-year term. The Chairman and the two full-time members of the Board shall act as the heads of such operating departments as may be set up by the Board under the authority granted by Section eighty-seven of this Code. The Chairman shall have authority, exercisable at his discretion, to determine from time to time the organizational divisions to be headed by each member serving full time and to make the corresponding shifts in designations pursuant thereto. The compensation of the Chairman and the members of the Board of Trustees serving full time shall be twenty-four thousand and eighteen thousand pesos, respectively. The other members of the Board shall receive a *per diem* of one hundred pesos for each session of the Board that they attend.

SEC. 87. *The Chairman and Vice-Chairmen.*—The Chairman of the Board shall be the chief executive officer of the Bank. He shall have direct control and supervision of the business of the Bank in all matters which are not by this Code or by the by-laws of the Bank specifically reserved to be done by the Board of Trustees. He shall be assisted by an Executive Vice-Chairman and one or more vice-chairmen who shall be chosen and may be removed by the Board of Trustees. The salaries of the Vice-Chairmen shall be fixed by the Board of Trustees with the approval of the President of the Philippines.

SEC. 88. *Qualifications of Members.*—No person shall be appointed Chairman or member of the Board unless he is a man of accepted integrity, probity, training and experience in the field of banking and finance, at least thirty-five years of age and possessed of demonstrated administrative skill and ability.

SEC. 89. *Committee on Investment.*—There shall be a Committee on Investments composed of three members: the member of the Board of Trustees elected by the holders of preferred shares as Chairman, one member to be appointed by the President of the Philippines from among the government members of the

Board of Trustees, and another member to be elected by the holders of preferred shares under Section eighty-three of this Code. The Committee on Investments shall recommend to the Board of Trustees the corporations or entities from which the Land Bank shall purchase shares of stock.

The Land Bank shall not invest in any corporation, partnership or company wherein any member of the Board of Trustees or of the Committee on Investments or his spouse, direct descendant or ascendant has substantial pecuniary interest or has participation in the management or control of the enterprise except with the unanimous vote of the members of the Board of Trustees and of the Committee on Investments, excluding the member interested, in a joint meeting held for that purpose where full and fair information of the extent of such interest or participation has been adequately disclosed in writing and recorded in the minutes of the meeting: *Provided*, That such interested member shall not in any manner participate in the deliberations and shall refrain from exerting any pressure or influence whatever on any official or member of the Bank whose functions bear on or relate to the investment of the funds of the Bank in the enterprise: *Provided, further*, That the total investment in any single corporation, partnership, company, or association shall not exceed five *per centum* of the total investible funds.

SEC. 90. *Personnel; Cost of Administration.*—The administrative expenses of the Bank during any single fiscal year shall not in any case exceed two and one-half *per centum* of its total assets. The Board of Trustees shall provide for an organization and staff of officers and employees necessary to carry out the functions of the Bank, fix their compensation, and appoint and remove such officers and employees for cause. The Bank officers and employees shall be subject to the rules and regulations issued by the Civil Service Commission but shall not fall under the Wage and Position Classification Office. The Board of Trustees shall recommend to the Civil Service Commission rules and regulations for the recruitment, appointment, compensation, administration, conduct, promotion and removal of all Bank officers and employees under a strict

merit system and prepare and conduct examinations under the supervision of said Commission.

SEC. 91. *Legal Counsel.*—The Secretary of Justice shall be *ex-officio* legal adviser of the Bank. Any provision of law to the contrary notwithstanding, the Land Bank shall have its own Legal Department, the chief and members of which shall be appointed by the Board of Trustees. The composition, budget and operating expenses of the Office of the Legal Counsel and the salaries and traveling expenses of its officers and employees shall be fixed by the Board of Trustees and paid by the Bank.

SEC. 92. *Auditor.*—The Auditor General shall be the *ex-officio* auditor of the Bank and shall appoint a representative, who shall be the auditor in charge of the auditing office of the Bank. The Auditor General shall, upon the recommendation of the auditor of the Bank, appoint or remove the personnel of the auditing office. The compensation, budget and operating expenses of the auditing office and the salaries and traveling expenses of the officers and employees thereof shall be fixed by the Board of Trustees and paid by the Bank notwithstanding any provision of law to the contrary.

SEC. 93. *Report on Condition of Bank.*—The representative of the Auditor General shall make a quarterly report on the condition of the Bank to the President of the Philippines, to the Senate through its President, to the House of Representatives through its Speaker, to the Secretary of Finance, to the Auditor General and to the Board of Trustees of the Bank. The report shall contain, among other things, a statement of the resources and liabilities including earnings and expenses, the amount of capital stock, surplus, reserve and profits, as well as losses, bad debts, and suspended and overdue paper carried in the books as assets of the Bank, and a plantilla of the Bank.

SEC. 94. *Auditing Rules and Regulations.*—The Auditor General shall, with respect to the Bank, formulate improved and progressive auditing rules and regulations designed to expedite the

operations of the Bank and prevent the occurrence of delays and bottlenecks in its work.

SEC. 95. *Removal of Members.*—The President of the Philippines may, at any time, remove the Chairman or any member of the Board appointed by him if the interest of the Bank so requires, for any of the following causes:

(1) Mismanagement, grave abuse of discretion, infidelity in the conduct of fiduciary relations, or gross neglect in the performance of duties;

(2) Dishonesty, corruption, or any act involving moral turpitude; and

(3) Any act or performance tending to prejudice or impair the substantial rights of the stockholders.

Conviction of the Chairman or a member for a crime carrying with it a penalty greater than *arresto mayor* shall cause the removal of such Chairman or member without the necessity of Presidential action.

The Chairman or member may, in any of the above cases, be civilly liable for any damage that may have been suffered by the stockholders.

SEC. 96. *Transfer of Claims and Liabilities.*—The assets of the former Land Tenure Administration and the National Resettlement and Rehabilitation Administration in the form of claims and receivables arising from the sale or transfer of private and public lands, agricultural equipment, machinery, tools and work animals, but excluding advances made for subsistence, to small landholders shall, after an exhaustive evaluation to determine their true asset value, be irrevocably transferred to the Bank under such arrangements as the Land Authority and the Bank shall agree upon. Thereafter, the Bank shall have authority and jurisdiction to administer the claims, to collect and make adjustments on the

same and, generally, to do all other acts properly pertaining to the administration of claims held by a financial institution. The Land Authority, upon request of the Bank, shall assist the latter in the collection of such claims. The Land Authority shall be entitled to collect from the Bank no more than the actual cost of such collection services as it may extend. The claims transferred under this Section shall not be considered as part of the Government's subscription to the capital of the Bank.

SEC. 97. *Regulation.*—The Bank shall not be subject to the laws, rules and regulations governing banks and other financial institutions of whatever type except with respect to the receipt of savings and time deposits in accordance with Section seventy-nine of this Code, in which case the legal reserve and other requirements prescribed by the Central Bank for such deposits shall apply. The Bank shall be operated as an autonomous body and shall be under the supervision of the Central Bank.

SEC. 98. *Tax Exemption.*—The operations, as well as holdings, equipment, property, income and earnings of the Bank from whatever sources shall be fully exempt from taxation.

SEC. 99. *Organization of Bank.*—The Bank shall be organized within one year from the date that this Code takes effect.

SEC. 100. *Penalty for Violation of the Provisions of this Chapter.*—Any trustee, officer, employee or agent of the Bank who violates or permits the violation of any of the provisions of this Chapter, or any person aiding or abetting the violations of any of the provisions of this Chapter, shall be punished by a fine not to exceed ten thousand pesos or by imprisonment of not more than five years, or both such fine and imprisonment at the discretion of the Court.

CHAPTER V.—AGRICULTURAL CREDIT ADMINISTRATION

SEC. 101. *Reorganization of ACCFA to Align Its Activities.*—The administrative machinery of the Agricultural Credit and

Cooperative Financing Administration created under Republic Act Numbered Eight hundred twenty-one, as amended by Republic Act Numbered Twelve hundred and eighty-five, shall be reorganized to enable it to align its activities with the requirements and objectives of this Code and shall be known as the Agricultural Credit Administration.

SEC. 102. *Financing.*—To finance the additional credit functions of the Agricultural Credit Administration as a result of the land reform program laid down in this Code, there is hereby appropriated the sum of one hundred fifty million pesos out of funds in the National Treasury not otherwise appropriated in addition to existing appropriations for the Agricultural Credit and Cooperative Financing Administration.

SEC. 103. *Privilege of Rediscounting.*—The Agricultural Credit Administration is hereby granted the privilege of rediscounting with the Central Bank of the Philippines, the Development Bank of the Philippines and the Philippine National Bank eligible evidence of indebtedness acquired by it in carrying on its authorized activities, at an interest rate equal to the lowest charged by the above financing institutions on any private person or entity.

SEC. 104. *Power to Obtain Additional Funds.*—Nothing in this Section shall limit the power of the Agricultural Credit Administration to obtain from the Central Bank of the Philippines, the Development Bank of the Philippines, the Philippine National Bank and other financing institutions, such additional funds as may be necessary for the effective implementation of this Act: *Provided*, That such additional funds are to be utilized as loans to farmers and/or farmers' cooperatives.

SEC. 105. *Loaning Activities.*—Loaning activities of the Agricultural Credit Administration shall be directed to stimulate the development and operation of farmers' cooperatives. The term "Farmers' Cooperatives" shall be taken to include all cooperatives relating to the production and marketing of agricultural products and those formed to manage and/or own, on a cooperative basis,

services and facilities, such as irrigation and transport systems, established to support production and/or marketing of agricultural products.

Under such rules and regulations in accordance with generally accepted banking practices and procedures as may be promulgated by the Agricultural Credit Administration, Rural Banks and Development Banks may, in their respective localities, be designated to act as agents of the Agricultural Credit Administration in regard to its loaning activities.

SEC. 106. *Credit to Small Farmers.*—Production loans and loans for the purchase of work animals, tillage equipment, seeds, fertilizer, poultry, livestock, feeds and other similar items, may be extended to small farmers as defined in Republic Act Numbered Eight hundred twenty-one, based upon their paying capacity and such securities as they can provide, and under such terms and conditions as the Agricultural Credit Administration may impose, provided the amount thereof does not exceed two thousand pesos, or such amount as may be fixed by the President, but in no case shall the amount of loan exceed eighty *per centum* of the value of the collateral pledged. In instances where credit is extended for items which are not consumed in their use, such items may be pledged as security therefor. The Agricultural Credit Administration shall promulgate such rules and regulations as may be necessary in the extension of the loans herein authorized so as to assure their repayment: *Provided*, That such rules and regulations shall follow and be in accordance with generally accepted financing practices and procedures.

SEC. 107. *Security for Loans.*—The production of the borrower, after deducting the lease rental and/or liens thereon, shall be accepted as security for loans: *Provided*, That said production is pledged to the Agricultural Credit Administration with appropriate safeguards to insure against its unauthorized disposition: *Provided, further*, That the amount of loan shall not exceed sixty *per centum* of the value of the estimated production.

SEC. 108. *Loans to Cooperatives.*—The Agricultural Credit Administration is hereby authorized to extend such types of loans as it may deem necessary for the effective implementation of this Code, to eligible farmers' cooperatives as herein defined, under such terms and conditions as it may impose and with such securities as it may require. A farmers' cooperative that has been registered with the Securities and Exchange Commission and affiliated with the Agricultural Credit Administration shall be eligible for loans if, in the judgment of the latter, its organization, management and business policies are of such character as will insure the safety and effective use of such loans.

SEC. 109. *Loans for Construction or Acquisition by Purchase of Facilities.*—Loans for the construction or acquisition by purchase of facilities of farmers' cooperatives may be granted by the Agricultural Credit Administration.

SEC. 110. *Interest on Loans.*—The total charges including interest and insurance fees on all kinds of loans shall not be more than eight *per centum per annum*: *Provided*, That if an impairment of the capitalization of the Agricultural, Credit Administration is imminent by reason of the limitation of the interest rate herein provided, there is automatically appropriated out of the unappropriated funds in the National Treasury such amounts as is necessary to cover the losses of the Agricultural Credit Administration, but not exceeding six million pesos for any one year.

SEC. 111. *Institution of Supervised Credit.*—To provide for the effective use of credit by farmers, the Agricultural Credit Administration may institute a program of supervised credit in cooperation with the Agricultural Productivity Commission.

SEC. 112. *Guidance to Cooperatives.*—The Agricultural Credit Administration shall have the power to register and provide credit guidance or assistance to all agricultural cooperatives including irrigation cooperatives and other cooperative associations or fund corporations.

SEC. 113. *Auditing of Operations.*—For the effective supervision of farmers' cooperatives, the head of the Agricultural Credit Administration shall have the power to audit their operations, records and books of account and to issue *subpoena* and *subpoena duces tecum* to compel the attendance of witnesses and the production of books, documents and records in the conduct of such audit or of any inquiry into their affairs. Any person who, without lawful cause, fails to obey such *subpoena* or *subpoena duces tecum* shall, upon application of the head of Agricultural Credit Administration with the proper court, be liable to punishment for contempt in the manner provided by law and if he is an officer of the association, to suspension or removal from office.

SEC. 114. *Prosecution of Officials.*—The Agricultural Credit Administration, through the appropriate provincial or city fiscal, shall have the power to file and prosecute any and all actions which it may have against any and all officials or employees of farmers' cooperatives arising from misfeasance or malfeasance in office.

SEC. 115. *Free Notarial Service.*—Any justice of the peace, in his capacity as notary *ex-officio*, shall render service free of charge to any person applying for a loan under this Code either in administering the oath or in the acknowledgment of instruments relating to such loan.

SEC. 116. *Free Registration of Deeds.*—Any register of deeds shall accept for registration, free of charge any instrument relative to a loan made under this Code.

SEC. 117. *Writing-off Unsecured and Outstanding Loans.*—Subject to the approval of the President upon recommendation of the Auditor General, the Agricultural Credit Administration may write-off from its books, unsecured and outstanding loans and accounts receivable which may become uncollectible by reason of the death or disappearance of the debtor, should there be no visible means of collecting the same in the foreseeable future, or where the debtor has been verified to have no income or property whatsoever

with which to effect payment. In all cases, the writing-off shall be after five years from the date the debtor defaults.

SEC. 118. *Exemption from Duties, Taxes and Levies.*—The Agricultural Credit Administration is hereby exempted from the payment of all duties, taxes, levies, and fees, including docket and sheriff's fees, of whatever nature or kind, in the performance of its functions and in the exercise of its powers hereunder.

CHAPTER VI.—AGRICULTURAL PRODUCTIVITY COMMISSION

SEC. 119. *Creation of the Agricultural Productivity Commission.*—For the purpose of accelerating progressive improvement in the productivity of farms, the advancement of farmers and the strengthening of existing agricultural extension services through the consolidation of all promotional, educational and informational activities pertaining to agriculture, the present Bureau of Agricultural Extension of the Department of Agriculture and Natural Resources is hereby placed directly under the executive supervision and control of the President and hereinafter renamed Agricultural Productivity Commission.

Upon the effectivity of this Code, the Agricultural Tenancy Commission of the Department of Justice, together with its powers, duties, responsibilities, files, records, supplies, equipment, personnel and unexpended balance of appropriations, is hereby placed under the Agricultural Productivity Commission as a separate office thereof.

SEC. 120. *Commissioner of the Agricultural Productivity Commission.*—The Agricultural Productivity Commission shall be administered by an Agricultural Productivity Commissioner who shall be appointed by the President with the consent of the Commission on Appointments and who shall have a compensation of sixteen thousand pesos *per annum*. No person shall be appointed as Agricultural Productivity Commissioner unless he be a holder of at least a Bachelor of Science degree in Agriculture from a reputable

school or college of agriculture and shall have practiced agriculture for at least five years, and who is of recognized competence in agricultural economics or any of its equivalents.

SEC. 121. *Powers and Duties.*—The Agricultural Productivity Commissioner shall exercise the same powers and duties vested in the Director of the Bureau of Agricultural Extension.

SEC. 122. *Division on Cooperatives.*—In addition to the existing divisions of the Bureau of Agricultural Extension, herein renamed as Agricultural Productivity Commission, there shall be a Division of Cooperatives and such other divisions and sections as the Agricultural Productivity Commissioner may deem necessary to organize in order to carry out the promotional and educational activities of the Commission.

SEC. 123. *Recruitment, Selection and Training of Extension Workers.*—The extension workers shall be recruited and selected from graduates of agricultural colleges with adequate practical experience and training in actual crop, tree, poultry and livestock farming: *Provided, however,* That in the event there are no graduates of agricultural colleges available, graduates of agricultural high schools may be temporarily employed. Training of extension workers shall be done in conjunction with research institutions to insure their maximum efficiency.

SEC. 124. *Functions of Extension Workers.*—In addition to their functions under Republic Act Numbered Six hundred eighty, it shall be the duty of extension workers:

(1) To reside in the locality where they are assigned, to disseminate technical information to farmers, and to demonstrate improved farm management practices and techniques;

(2) To work with individual farmers in farm planning and budgeting, guide them in the proper conduct of farm business and work out schedules of re-payment of loans obtained by farmers;

(3) To assist farmers in securing the services or assistance of other agencies, or their personnel, having to do with relevant activities and problems of farmers;

(4) To visit newly-established independent farm operators either singly or collectively at least once a month;

(5) To conduct educational activities that will acquaint leaseholders and other independent farm operators with their rights and responsibilities under this Code;

(6) To encourage the formation and growth of private associations, study clubs, committees and other organized groups of farmers, familiarize them with modern methods of farming and interest them to actively participate, collaborate or take the initiative in agricultural research, experimentation and implementation of projects in cooperation with the Agricultural Productivity Commission and other agencies; and

(7) To promote, stimulate and assist in the organization of farmers' cooperatives.

SEC. 125. *Appropriation.*—In addition to the funds herein transferred, there is hereby appropriated from the general funds in the National Treasury not otherwise appropriated the sum of five million pesos, or so much thereof as may be necessary to carry out the purposes of this Chapter.

CHAPTER VII.—LAND REFORM PROJECT ADMINISTRATION

SEC. 126. *Creation of National Land Reform Council.*—There is hereby created a National Land Reform Council, Hereinafter called the Council, which shall be composed of the Governor of the Land Authority, who shall act as Chairman, the Administrator of the Agricultural Credit Administration, the Chairman of the Board of Trustees of the Land Bank, the Commissioner of the Agricultural Productivity Commission and another member appointed by the President upon recommendation of the minority party receiving

the second largest number of votes in the last Presidential election who shall hold office at the pleasure of such minority party, unless sooner removed for cause by the President, as members and the Agrarian Counsel as legal counsel: *Provided*, That the Council shall not be considered fully constituted and ready to function until after the member representing the minority party has been appointed by the President of the Philippines: *Provided, further*, That the minority party shall submit its recommendation to the President within sixty days from the approval of this Code, in the absence of which the Council shall be deemed to be so constituted even without such member from the minority party: *Provided, finally*, That the minority representative shall receive a *per diem* of fifty pesos for each day he attends a council meeting, chargeable to the appropriations of the Land Authority.

SEC. 127. *Meetings; Resolutions.*—The Chairman of the Council shall convoke the Council as its responsibilities enumerated in Section one hundred twenty-eight may warrant, and shall preside over its meetings.

It shall be the duty of the members to attend any meeting of the Council upon the call of the Chairman. In case of inability, a member may require the officer next in rank in his agency to attend the meeting in his behalf.

A majority vote of the members present if there is a *quorum* shall be necessary for the approval of a resolution. Upon such approval the resolution shall be final and binding upon all members of the Council and their respective agencies insofar as their functions, powers and duties required under this Code are concerned.

The refusal of any member to implement any resolution or part thereof falling within the scope of the powers granted to his agency shall be sufficient ground for the President of the Philippines to remove said member from office or to impose upon him disciplinary or administrative sanctions.

SEC. 128. *Functions of National Land Reform Council.*—It shall be the responsibility of the Council:

(1) To construct the general program of land reform contemplated by this Code;

(2) To establish guidelines, plans and policies for its member-agencies relative to any particular land reform project;

(3) To formulate such rules and regulations as may be necessary to carry out the provisions of this Code for (a) the selection of agricultural land to be acquired and distributed under this Code; (b) the determination of sizes of family farms as defined in Section one hundred sixty-six; and (c) the selection of beneficiaries to family farms available for distribution: *Provided*, That priority shall be given in the following order: First, to members of the immediate family of the former owner of the land within the first degree of consanguinity who will cultivate the land personally with the aid of labor available within his farm household; Second, to the actual occupants personally cultivating the land either as agricultural lessees or otherwise with respect to the area under their cultivation ; Third, to farmers falling under the preceding category who are cultivating uneconomic-size farms with respect to idle or abandoned lands; Fourth, to owner-operators of uneconomic-size farms; and Fifth, to such other categories as may be fixed by virtue of this Code, taking into consideration the needs and qualifications of the applicants;

(4) To revise, approve, or reject any land reform proposal or project; and

(5) To proclaim in accordance with the provisions of this Code, which proclamation shall be considered as having been promulgated immediately after three successive weekly publications in at least two newspapers of general circulation in the region or locality affected by the proclamation, preference being given to local newspapers, if any, that all the government machineries and agencies in any region or locality relating to leasehold envisioned in

this Code are operating: *Provided*, That the conversion to leasehold in the proclaimed area shall become effective at the beginning of the next succeeding agricultural year after such promulgation: *Provided, further*, That the proclamation shall be made after having considered factors affecting feasibility and fund requirements and the other factors embodied in Sections one hundred twenty-nine, one hundred thirty and one hundred thirty-one.

SEC. 129. *Creation of Land Reform Districts.*—The Council shall exercise the functions enumerated in the preceding Section for particular areas which the Council shall select and designate as land reform districts. A district shall constitute one or more land reform projects, each project to comprise either a large landed estate or several areas within small estates. In the selection of a district, the Council shall consider factors affecting the feasibility of acquiring for redistribution the areas within the district, including:

- (1) The productivity of the area;
- (2) Its suitability for economic family-size farms ;
- (3) The tenancy rate in the area;
- (4) The minimum fixed capital outlay required to develop the area;
- (5) The proximity of the area to resettlement projects; and
- (6) The number of farmers that cultivate uneconomic-size farms, the ability and readiness of such farmers to be resettled, and the availability of idle or abandoned lands that may be acquired or expropriated as well as of other resettlement facilities.

SEC. 130. *Regional Land Reform Committee.*—For the purpose of implementing the program and policies of the Council on the local level, the Council shall establish in each region of the Philippines a Regional Land Reform Committee which shall be composed of the representatives of the agencies composing the National Land Reform

Council and shall be under the chairmanship of the representative of the Land Authority. The Committee shall recommend to the Council such plans for projects of land reform in its jurisdiction as it may deem appropriate. The Committee shall conduct public hearings, gather and analyze data, estimate the essentials of such plans for projects or programs and consolidate its findings in a report to be submitted to the Council for its consideration. The decision of the Council upon such projects or programs shall be returned to the Committee, within thirty days from the submission thereof, for early implementation or execution by said Committee and the agencies represented therein.

SEC. 131. *Land Reform Project Team.*—The Regional Land Reform Committee shall direct and assign a Land Reform Project Team for any project or projects within the region, to be composed of an appropriate number of personnel from the member-agencies. The Team shall be headed by a representative of the Land Authority designated by the Committee, but each agency shall, in every case, be duly represented by at least one member in the Team. On the basis of national, regional, and local policies and programs formulated and approved by the Council through the Committee, the Team shall determine (a) the suitability of any area for redistribution into economic family-size farms; (b) the economic size of farm units; (c) the feasibility of acquiring and distributing the area; (d) the willingness of the lessees to assume the responsibilities of ownership; and (e) the financial and other requirements of the project. For this purpose, it shall gather data, obtain opinions, conduct surveys, pursue investigations, and incorporate any information thus established in a development program for the area concerned to be submitted in the form of a consolidated report to the Committee.

CHAPTER VIII.—LAND CAPABILITY SURVEY AND CLASSIFICATION

SEC. 132. *Land Survey to Conform to Legal Requirements.*—To provide the necessary basis for the implementation of the land reform program formulated under this Code, the Land Authority is hereby authorized to undertake a land capability survey and

classification in cooperation with the relevant agencies that will be directly benefited by such survey and classification. The survey shall be made to conform to the requirements of the Department of Agriculture and Natural Resources for implementation of agricultural programs and forestry inventory, of the Board of Technical Surveys and Maps, and of the National Economic Council and other agencies for agricultural planning and other purposes.

SEC. 133. *Cadastral Survey*.—To resolve the rights of landholders holding unregistered property, the Bureau of Lands is directed to undertake an expanded cadastral survey and land registration program commencing within three months from the passage of this Code.

SEC. 134. *Costs of Fees and Charges*.—Notwithstanding any provisions of law to the contrary, the following rules shall apply with respect to the costs, fees and charges in the survey, monumenting, and registration of lands of whatever description and nature had in relation to cadastral proceedings undertaken by the National Government, either alone through its offices, agencies and instrumentalities, or in conjunction with provincial and municipal governments.

SEC. 135. *Apportionment of Cost of Survey*.—One-half of the cost of survey and monumenting and registration proceedings shall be fully assessed and collected against each and all of the lots included in cadastral proceedings and shall be apportioned in accordance with the area thereof, but in no case shall less than ten pesos be charged against each lot, the other half being chargeable to the National Government. The amounts taxed against each of the lots or parcels of land shall be considered as a special assessment of taxes against the respective parcels, shall constitute a first lien upon the land and shall be collected by the Director of Lands or his duly authorized representatives in equal installments within a period of three years, bearing interest at the rate of six *per centum per annum*. The first installment shall become due and payable at the same time as the general land taxes for the year next succeeding the year in which the assessment of the cost shall be received by the

Provincial Treasurer, and shall be collected in the same manner as such general taxes. Each succeeding installment shall become due and payable at the same time as the general land taxes for the corresponding current year and shall be collected in the same manner. The Director of Lands shall for this purpose send to the officer in charge of such collection a copy of said assessment of costs: *Provided, however,* That the amounts representing the proportional shares of the costs taxed against lots surveyed at the request and expense of their owner and for which a plan other than the cadastral plan has been made by a duly authorized surveyor prior to the decision in the cadastral proceeding, or which have been registered in accordance with the provisions of Act Numbered Four hundred ninety-six, entitled "The Land Registration Act", or surveyed, patented, or leased under the Public Land and Mining Laws, prior to the decision in the cadastral proceeding, or have been declared to be public lands by the Court, shall not constitute a lien against said lot nor shall be collected from the owner thereof: *Provided, further,* That the owner of any lot may, if he so desires, pay any installment of the costs taxed against his lot at any time before the same becomes due.

SEC. 136. *Payment of Costs of Land in Its Entirety in Case of Transfer of Land.*—In case of the sale, transfer, or conveyance, for a pecuniary consideration, of any property, or part thereof, registered by virtue of a decree issued in a cadastral proceeding, prior to the payment of the total amount of the costs taxed against such property in accordance with the preceding Section endorsed as an encumbrance or lien upon each cadastral certificate of title, the vendor or his legal representative shall pay such costs in their entirety in case the order apportioning the costs has already been issued in the cadastral proceeding in which the property being sold, transferred, or conveyed is included, and the register of deeds concerned shall demand of the vendor, before registering the deed for such sale, transfer, or conveyance of said property, that he exhibit a receipt signed by the Director of Lands or his duly authorized representative showing that such encumbrance or lien has been paid.

SEC. 137. *Costs of Registration Proceedings.*—The costs of the registration proceedings under the provisions of this Code shall consist of a sum equivalent to ten *per centum* of the costs of the survey and monumenting of the land. The amount of the costs of the proceeding so taxed shall be for all services rendered by the Land Registration Commission and the clerk or his deputies in each cadastral proceeding, and the expense of publication, mailing, and posting notice, as well as the notices of the decision and the order apportioning the cost shall be borne by the Land Registration Commission.

SEC. 138. *Laws Covering Survey and Registration of Land in Force.*—Unless otherwise provided in this Chapter, all provisions of law covering the survey and registration of land shall remain in full force and effect.

SEC. 139. *Revolving Fund.*—All amounts collected by the Bureau of Lands or its duly authorized representatives from the owners of the various lots as costs of proceedings, survey, and monumenting in relation to the cadastral survey program herein described shall be paid into a Special Cadastral Program Revolving Fund to finance the cadastral land survey and registration of other unregistered lands.

SEC. 140. *Appropriation.*—To finance and support the expanded cadastral land survey and registration program set forth herein, the amount of one hundred million pesos is hereby appropriated out of funds in the National Treasury not otherwise appropriated, which amount shall be paid into a “Special Cadastral Program Revolving Fund”, to finance the cadastral land survey and registration of other unregistered areas.

CHAPTER IX.—COURTS OF AGRARIAN RELATIONS

SEC. 141. *Creation.*—Courts of Agrarian Relations are hereby organized and established throughout the Philippines in conformity with the provisions of this Chapter.

SEC. 142. *Regional Districts*.—Regional districts for the Courts of Agrarian Relations in the Philippines are constituted as follows:

The first Regional District shall consist of the provinces of Cagayan, Batanes, Isabela and Nueva Vizcaya, with seat in Tuguegarao, Cagayan for Branch I and in Ilagan, Isabela for Branch II;

The second Regional District, of the provinces of Ilocos Norte, Ilocos Sur, Abra, Mountain Province, La Union and the City of Baguio, with seat in Laoag, Ilocos Norte for Branch I and in San Fernando, La Union for Branch II;

The third Regional District, of the provinces of Pangasinan and Zambales, and the City of Dagupan, with seat in Lingayen, Pangasinan for Branch I, in Tayug, Pangasinan for Branch II and in Iba, Zambales for Branch III;

The fourth Regional District, of the provinces of Nueva Ecija and Tarlac, and Cabanatuan City, with seat in Cabanatuan City for Branch I, in Guimba, Nueva Ecija for Branch II, in Tarlac, Tarlac for Branch III and in Moncada, Tarlac for Branch IV;

The fifth Regional District, of the provinces of Pampanga, Bataan and Bulacan, with seat in Malolos, Bulacan for Branch I, in San Fernando, Pampanga for Branch II, in Angeles, Pampanga for Branch III and in Balanga, Bataan for Branch IV;

The sixth Regional District, of the City of Manila, Quezon City, Pasay City, the province of Rizal, the City of Cavite, the province of Cavite, the City of Tagaytay, Trece Martires City, and the province of Palawan, with seat in Manila for Branch I (Executive Judge), in Cavite City for Branch 11 and in Pasig, Rizal for Branch III;

The seventh Regional District, of the province of Laguna, the City of San Pablo, the province of Batangas, the City of Lipa, and the provinces of Oriental Mindoro and Occidental Mindoro, with

seat in Los Baños, Laguna for Branch I, in Batangas, Batangas for Branch II and in Mamburao, Mindoro Occidental for Branch III;

The eighth Regional District, of the province of Quezon, the subprovince of Aurora, the City of Lucena, and the province of Camarines Norte, with seat in the City of Lucena for Branch I and in Daet, Camarines Norte for Branch II;

The ninth Regional District, of the province of Camarines Sur, Naga City, Legazpi City and the provinces of Albay, Catanduanes, Sorsogon and Masbate, with seat in Naga City for Branch I, in Legazpi City for Branch II and in Sorsogon, Sorsogon for Branch III;

The tenth Regional District, of the province of Capiz, Roxas City, the provinces of Aklan, Romblon, Marinduque and Iloilo, the City of Iloilo, and the province of Antique, with seat in the City of Iloilo for Branch I and in Roxas City for Branch II;

The eleventh Regional District, of the province of Occidental Negros, the Cities of Bacolod and Silay, the province of Oriental Negros, Dumaguete City, and the subprovince of Siquijor, with seat in Bacolod City for Branch I, in Dumaguete City for Branch II and in San Carlos City for Branch III;

The twelfth Regional District, of the province of Samar, the City of Calbayog, the province of Leyte, and the Cities of Ormoc and Tacloban, with seat in Catbalogan, Samar for Branch I and in Ormoc City for Branch II;

The thirteenth Regional District, of the province of Cebu, the City of Cebu, and the province of Bohol, with seat in the City of Cebu for Branch I and in Tagbilaran, Bohol for Branch II;

The fourteenth Regional District, of the provinces of Surigao and Agusan, Butuan City, the province of Oriental Misamis, Cagayan de Oro City, the provinces of Bukidnon, Lanao del Sur and Lanao del Norte, and the Cities of Iligan and Marawi, with seat in Cagayan de Oro City for Branch I and in Iligan City for Branch II;

The fifteenth Regional District, of the province of Davao, the City of Davao, the provinces of Cotabato and Occidental Misamis, Ozamiz City, the provinces of Zamboanga del Norte and Zamboanga del Sur, Zamboanga City, Basilan City and the province of Sulu, with seat in the City of Davao for Branch I, Cotabato City for Branch II and Ozamiz City for Branch III.

SEC. 143. *Judges of Agrarian Relations.*—The judicial function of the Courts of Agrarian Relations shall be vested in an Executive Judge and the Regional District Judges, who shall be appointed from time to time, depending on the need for their services, by the President of the Philippines with the consent of the Commission on Appointments: *Provided, however,* That the Executive Judge and the eight Associate Judges, at the time of the approval of this Code, of the Court of Agrarian Relations established and organized under Republic Act Numbered Twelve hundred and sixty-seven, shall continue as Agrarian Judges without need of new appointments by the President of the Philippines and new confirmation of the Commission on Appointments: *Provided, further,* That upon the approval of this Code, the said Executive Judge shall continue as such with authority to exercise the usual administrative functions over the Court of Agrarian Relations not incompatible with the provisions of this Chapter and shall have his office in Manila without prejudice to his holding court in any district where the requirements of the service so warrant, and the eight Associate Judges shall be assigned as Regional District Judges by the Executive Judge to any of the regional districts as constituted in the preceding Section.

SEC. 144. *Qualifications of Judges; Tenure of Office; Compensation.*—No person shall be appointed as Executive Judge or Regional District Judge unless he has been a citizen of the Philippines for ten years and has practiced law in the Philippines for a period of not less than ten years or has held during a like period, within the Philippines, an office requiring admission to the practice of law in the Philippines as an indispensable requisite.

Regional District Judges shall be appointed to serve during good behavior, until they reach the age of seventy years or become

incapacitated to discharge the duties of their office, unless sooner removed in accordance with law.

The judges may be suspended or removed in the same manner and upon the same grounds as judges of the Court of First Instance.

The Executive Judge shall receive an annual compensation which shall be equal to that allowed or may hereafter be allowed for judges of the Court of First Instance and the Regional District Judges shall receive an annual compensation of one thousand pesos less than that of the Executive Judge.

SEC. 145. *Leave Privileges; Traveling Expenses.*—Judges of the Courts of Agrarian Relations shall be entitled to the same retirement and leave privileges now granted or may hereafter be granted to judges of the Court of First Instance. They shall be entitled to traveling expenses when performing their duties outside official stations.

SEC. 146. *Vacation of Courts of Agrarian Relations.*—The yearly vacation of Courts of Agrarian Relations shall begin with the first of April and close with the first of June of each year.

SEC. 147. *Assignment of Judges to Vacation Duty.*—During the month of January of each year the Executive Judge shall issue an order naming the judges who are to remain on duty during the court vacation of that year; and, consistently with the requirements of the judicial service, the assignment shall be so made that no judge shall be assigned to vacation duty, unless upon his own request, with greater frequency than once in two years.

Such order shall specify, in the case of each judge assigned to vacation duty, the territory over which in addition to his own district his authority as vacation judge shall extend.

The Executive Judge may from time to time modify his order assigning the judges to vacation duty as newly arising conditions or emergencies may require.

A judge assigned to vacation duty shall not ordinarily be required to hold court during such vacation; but the Executive Judge may, when in his judgment the emergency shall require, direct any judge assigned to vacation duty to hold during the vacation a special term of court in any district.

SEC. 148. *Judges of Regional Districts.*—Four judges shall be commissioned for each of the fourth and fifth Regional Districts; three judges shall be commissioned for each of the third, sixth, seventh, ninth, eleventh and fifteenth Regional Districts; and two judges for each of the other Regional Districts.

SEC. 149. *Oath of Office.*—Before entering upon the discharge of the duties of their office, the judges shall take and subscribe to an oath of office in accordance with the provisions of Section twenty-three of the Revised Administrative Code.

SEC. 150. *Division of Business Between Branches.*—All business appertaining to the Courts of Agrarian Relations of each Regional District shall be equitably distributed among the judges of the branches in such manner as shall be agreed upon by the judges themselves. Should the judges fail to agree on the distribution of business, then the Executive Judge shall make the distribution.

SEC. 151. *Judges' Certification as to Work Completed.*—The judges of the Courts of Agrarian Relations shall certify at the end of each month that all petitions and motions in all cases pending decision or resolution for a period of thirty days from submission by the parties have been determined and decided before the date of the making of the certificate. No leave shall be granted and no salary shall be paid without such certificate.

SEC. 152. *Official Station of Regional District Judges.*—Within thirty days after the approval of this Code, the Executive Judge shall issue an order designating the official station of the judges of the branches of each of the Regional Districts.

SEC. 153. *Time and Place of Molding Court.*—Sessions of the Court shall be convened on all working days when there are cases ready for trial or other court business to be dispatched. The hours for the daily session of the Court shall be from nine to twelve in the morning, and from three to five in the afternoon, except on Saturdays, when a morning session only shall be required; but the judge may extend the hours of session whenever in his judgment it is proper to do so. The judge, in his discretion, may order that but one session per day shall be held instead of two, at such hours as he may deem expedient for the convenience both of the Court and of the public; but the number of hours that the Court shall be in session per day shall be not less than five.

Sessions of the Court shall be held at the places of the official station of the respective judges: *Provided, however,* That whenever necessary in the interest of speedy and inexpensive justice and litigation, a judge shall hold court in the municipality where the subject matter of the dispute is located, utilizing the sala of the local justice of the peace court for this purpose.

A brief monthly report which shall be submitted within the first five days of the succeeding month showing the number and nature of the cases tried in his sala, the place of hearing in each case, the progress of the litigation with corresponding dates and the disposition made thereon shall be rendered by every judge under his signature and copies thereof shall be furnished the Executive Judge, who shall compile and report in an appropriate form the decisions promulgated in important cases. A judge who fails or neglects to make his report shall, upon first offense, be liable to warning by the Executive Judge, and upon repeated failure or neglect may be suspended or removed from office.

SEC. 154. *Jurisdiction of the Court.*—The Court shall have original and exclusive jurisdiction over:

(1) All cases or actions involving matters, controversies, disputes, or money claims arising from agrarian relations: *Provided, however,* That all cases still pending in the Court of Agrarian

Relations, established under Republic Act Numbered Twelve hundred and sixty-seven, at the time of the effectivity of this Code, shall be transferred to and continued in the respective Courts of Agrarian Relations within whose district the sites of the cases are located;

(2) All cases or actions involving violations of Chapters I and II of this Code and Republic Act Numbered Eight hundred and nine; and

(3) Expropriations to be instituted by the Land Authority : *Provided, however,* That expropriation proceedings instituted by the Land Tenure Administration pending in the Court of First Instance at the time of the effectivity of this Code shall be transferred to and continued in the respective Courts of Agrarian Relations within whose district the subject matter or property is located.

SEC. 155. *Powers of the Court; Rules of Procedure.*—The Courts of Agrarian Relations shall have all the powers and prerogatives inherent in or belonging to the Court of First Instance.

The Courts of Agrarian Relations shall be governed by the Rules of Court: *Provided,* That in the hearing, investigation and determination of any question or controversy pending before them, the Courts without impairing substantial rights, shall not be bound strictly by the technical rules of evidence, and procedure, except in expropriation cases.

SEC. 156. *Appeals.*—Appeals from an order or decision of the Courts of Agrarian Relations may be taken to the Court of Appeals on questions of fact and of fact and law or to the Supreme Court on pure questions of law, as the case may be, in accordance with rules governing appeals from the Court of First Instance as provided in the Rules of Court.

SEC. 157. *Detail of Judges to Another District.*—Whenever any judge in any of the Court shall certify to the Executive Judge that the condition of the docket in his Court is such as to require

the assistance of an additional judge, or when there is any vacancy in any Court, the Executive Judge may, in the interest of justice, with the approval of the Supreme Court, assign any judge of the Court of Agrarian Relations whose docket permits his temporary absence from said Court, to hold session in the Court needing such assistance or where such vacancy exists.

Whenever a judge appointed or assigned in any branch of the Court shall leave his district by transfer or assignment to another Court of equal jurisdiction without having decided a case totally heard by him and which was duly argued or opportunity given for argument to the parties or their counsel, it shall be lawful for him to prepare and sign his decision in said case anywhere within the Philippines and send the same by registered mail to the clerk of court to be filed in the Court as of the date when the same was received by the clerk, in the same manner as if the judge had been present in the Court to direct the filing of the judgment: *Provided, however,* That if a case has been heard only in part, the Supreme Court, upon petition of any of the interested parties to the case and the recommendation of the respective district judge, may also authorize the judge who has partly heard the case to continue hearing and to decide said case notwithstanding his transfer or appointment to another court of equal jurisdiction.

SEC. 158. *Personnel of the Courts of Agrarian Relations.*—(1) *Court Commissioners; Qualifications and Compensation.*—There shall be twenty-four Court Commissioners who shall receive an annual compensation of nine thousand pesos each and shall be appointed by the President with the consent of the Commission on Appointments. A Court Commissioner shall be a member of the Philippine Bar and must have been engaged in the practice of law for five years or must have held a position in the government requiring the qualifications of a lawyer for the same period. A Court Commissioner may be assigned by the Executive Judge to assist in the hearing and investigation of cases. Subject to the latter's direction and supervision, he may hear evidence for the Court on any disputed point or issue in any given case or cases and shall after said hearing submit a report of all the cases heard by him together

with the records thereof within the period prescribed by the Court. During the hearing he may rule upon questions of pleading and procedure but not on the merits of the case.

(2) *Clerks of Court; Qualifications, Duties, Compensation and Bond.*—There shall be as many Clerks of Court as there are judges, who shall be appointed by the President of the Philippines with the consent of the Commission on Appointments. Deputy Clerks of Court and such other employees as may be required shall be appointed by the Executive Judge, subject to Civil Service law, rules and regulations.

No person shall be eligible for appointment as Clerk of Court unless he is duly authorized to practice law in the Philippines.

Before entering upon the discharge of the duties of his office, he shall file a bond in the amount of ten thousand pesos in the same manner and form as required of the Clerk of the Supreme Court, such bond to be approved by, and filed with, the Treasurer of the Philippines and shall be subject to inspection by interested parties. The Clerk of Court shall require his deputy to give an adequate bond as security against loss by reason of his wrongdoing or gross negligence.

The Clerks of Court shall each receive an annual compensation of seven thousand two hundred pesos. They shall exercise the same powers and perform the same duties on all matters within the jurisdiction of the Courts as those exercised by the Clerks of Court of the Courts of First Instance.

Clerks of Courts and other subordinate employees of the Courts of Agrarian Relations shall, for administrative purposes, belong to the Department of Justice; but in the performance of their duties, they shall be subject to the supervision of the judges of the Court to which they respectively pertain.

The Commissioners, otherwise known as Hearing Officers of the Court of Agrarian Relations, as well as the Clerks of Court at

the time of the approval of this Code, shall continue as such without the need of new appointment by the President of the Philippines and new confirmation by the Commission on Appointments.

SEC. 159. *Appropriation.*—There is hereby appropriated the sum of three million five hundred thousand pesos, or so much thereof as may be necessary, out of the unappropriated funds in the Philippine Treasury for expenses for courtrooms and court offices, including equipment for the Courts and their personnel, for salaries, and for other necessary expenses that may be incurred in carrying out the provisions of this Chapter. The amount appropriated shall be carried in succeeding appropriations for the Courts of Agrarian Relations.

CHAPTER X.—OFFICE OF AGRARIAN COUNSEL

SEC. 160. *Creation of Office of Agrarian Counsel.*—To strengthen the legal assistance to agricultural lessees and agricultural owner-cultivators referred to in this Code, the Tenancy Mediation Commission is hereby expanded and shall hereafter be known as the Office of the Agrarian Counsel. The head of the Office shall hereafter be known as Agrarian Counsel and shall have the rank, qualifications and salary of First Assistant Solicitor General. He shall be assisted by a Deputy Agrarian Counsel, who shall have the rank, qualifications and salary of Assistant Solicitor General. The Agrarian Counsel and Deputy Agrarian Counsel shall be appointed by the President with the consent of the Commission on Appointments of Congress and shall be under the direct supervision of the Secretary of Justice.

SEC. 161. *Special Attorneys.*—There is hereby created in the Office of the Agrarian Counsel eighty additional positions of Special Attorneys, who shall be appointed by the President upon recommendation of the Secretary of Justice and with the consent of the Commission on Appointments. They shall have the rank, qualifications and salary provided by law for a solicitor in the Office of the Solicitor General with the lowest rank.

SEC. 162. *Appointment of Subordinate Officials.*—The Agrarian Counsel shall appoint the subordinate officials and employees of the Office of Agrarian Counsel, subject to civil service rules and regulations, fix their compensation and prescribe their duties. The compensation of special attorneys transferred to the Office of Agrarian Counsel shall be fixed on salary scales corresponding to solicitors of the Office of the Solicitor General: *Provided*, That in the fixing of their salary seniority in rank shall be taken into account.

The Agrarian Counsel shall have the power to organize such divisions and sections as will insure maximum efficiency of the Office.

SEC. 163. *Functions of the Office of Agrarian Counsel.*—It shall be the responsibility of the Office of the Agrarian Counsel, upon proper notification by the party concerned or by the association or organization to which he belongs, to represent agricultural lessees, agricultural farm workers and agricultural owner-cultivators referred to in this Code who cannot engage the services of competent private counsel in cases before the Court of Agrarian Relations.

SEC. 164. *Authority to Administer Oath.*—The Agrarian Counsel, the Deputy Agrarian Counsel and the Special Attorneys of the Office of Agrarian Counsel are hereby authorized to administer oaths free of charge.

SEC. 165. *Appropriation.*—There is hereby appropriated, in addition to the appropriation of the Tenancy Mediation Commission for Fiscal Year 1964, the sum of three million pesos, or so much thereof as may be necessary, out of the unappropriated funds in the National Treasury, for salaries, wages, purchase of motor vehicles, supplies, equipment, and other sundry expenses. The amount appropriated herein shall be carried in the appropriations for the Office of the Agrarian Counsel in the General Appropriations Acts for succeeding fiscal years.

CHAPTER XL.—GENERAL PROVISIONS

SEC. 166. *Definition of Terms.*—As used in Chapter I of this Code:

(1) “Agricultural land” means land devoted to any growth, including but not limited to crop lands, salt beds, fish ponds, idle land and abandoned land as defined in paragraphs 18 and 19 of this Section, respectively.

(2) “Agricultural lessee” means a person who, by himself and with the aid available from within his immediate farm household, cultivates the land belonging to, or possessed by, another with the latter’s consent for purposes of production, for a price certain in money or in produce or both. It is distinguished from civil law lessee as understood in the Civil Code of the Philippines.

(3) “Agricultural lessor” means a person, natural or juridical, who, either as owner, civil law lessee, usufructuary, or legal possessor, lets or grants to another the cultivation and use of his land for a price certain.

(4) “Agricultural year” means the period of time required for raising a particular agricultural product, including the preparation of the land, sowing, planting and harvesting of crops and, whenever applicable, threshing of said crops: *Provided, however,* That in case of crops yielding more than one harvest from one planting, “agricultural year” shall be the period from the preparation of the land to the first harvest and thereafter from harvest to harvest. In both cases, the period may be shorter or longer than a calendar year.

(5) “Court” means the Court of Agrarian Relations.

(6) “Fair rental value” means the value not in excess of allowable depreciation plus six per cent interest *per annum* on the investment computed at its market value: *Provided,* That the fair rental value for work animal or animals and farm implements used to produce the crop shall not exceed five per cent of the gross harvest for the work animal or animals and five per cent for implements.

(7) “Farm implements” means hand tools or machines ordinarily employed in a farm enterprise.

(8) “Immediate farm household” means the members of the family of the lessee or lessor and other persons who are dependent upon him for support and who usually help him in his activities.

(9) “Incapacity” means any cause or circumstance which prevents the lessee from fulfilling his contractual and other obligations under this Code.

(10) “Inspect” means to enter, examine and observe. Under no circumstance, however, shall such entrance, examination and observation be utilized to commit any act of intimidation or coercion nor shall it be utilized to impair the civil rights of the individuals affected.

(11) “Proven farm practices” means sound farming practices generally accepted through usage or officially recommended by the Agricultural Productivity Commission for a particular type of farm.

(12) “Work animals” means animals ordinarily employed in a farm enterprise, such as carabaos, horses, bullocks, etc.

(13) “Personal cultivation” means cultivation by the lessee or lessor in person and/or with the aid of labor from within his immediate household.

As used in Chapter II:

(14) “Farm employer” includes any person acting directly or indirectly in the interest of a farm employer whether for profit or not, as well as a labor contractor but shall not include any labor organization (otherwise than when acting as a farm employer) or anyone acting in the capacity of an officer or agent of such labor organization.

(15) “Farm worker” includes any agricultural wage, salary or piece worker but is not limited to a farm worker of a particular farm employer unless the Code explicitly states otherwise and any individual whose work has ceased as a consequence of, or in connection with, a current agrarian dispute or an unfair labor practice and who has not obtained a substantially equivalent and regular employment.

Whenever the term “farm worker” is used in this Code, it shall be understood to include farm laborer and/or farm employee.

(16) “Farm workers’ organization” includes any union or association of farm workers which exists, in whole or in part, for the purpose of collective bargaining or dealing with farm employers concerning terms and conditions of employment.

(17) “Agrarian dispute” means any controversy relating to terms, tenure or conditions of employment, or concerning an association or representation of persons in negotiating, fixing, maintaining, changing, or seeking to arrange terms or conditions of employment, regardless of whether the disputants stand in the proximate relation of farm employers and employees.

As used in Chapter III of this Code:

(18) “Idle lands” means land not devoted directly to any crop or to any definite economic purpose for at least one year prior to the notice of expropriation except for reasons other than *force majeure* or any other fortuitous event but used to be devoted or is suitable to such crop or is contiguous to land devoted directly to any crop and does not include land devoted permanently or regularly to other essential and more productive purpose.

(19) “Abandoned lands” means lands devoted to any crop at least one year prior to the notice of expropriation, but which was not utilized by the owner for his benefit for the past five years prior to such notice of expropriation.

(20) “Economic family-size farm units” means an area of farm land that permits efficient use of labor and capital resources of the farm family and will produce an income sufficient to provide a modest standard of living to meet a farm family’s needs for food, clothing, shelter, and education with possible allowance for payment of yearly installments on the land, and reasonable reserves to absorb yearly fluctuations in income.

(21) “Suitability for economic family-size farms” refers to situations where a parcel of land whose characteristics, such as climate, soil, topography, availability of water and location, will support a farm family if operated in economic family-size farm units and does not include those where large-scale operations will result in greater production and more efficient use of the land.

(22) “Agricultural owner-cultivator” means any person who, providing capital and management, personally cultivates his own land with the aid of his immediate family and household.

(23) “Owner-manager” means the owner of a parcel of land devoted to agricultural production who provides the capital and management in the farm enterprise.

(24) “Labor administration” means cases where farm workers are employed wholly in the agricultural production.

(25) “Share tenancy” as used in this Code means the relationship which exists whenever two persons agree on a joint undertaking for agricultural production wherein one party furnishes the land and the other his labor, with either or both contributing any one or several of the items of production, the tenant cultivating the land personally with the aid of labor available from members of his immediate farm household, and the produce thereof to be divided between the landholder and the tenant.

(26) “Tax free” in reference to bonds and shares of stock issued by the Land Bank as payment for acquired private

agricultural land shall mean all government taxes except gift tax and inheritance tax.

SEC. 167. *Penal Provisions.*—(1) Violation of the provisions of Sections thirteen and twenty-seven and paragraph 1 of Section thirty-one of this Code shall be punished by a fine not exceeding one thousand pesos or imprisonment not exceeding one year or both in the discretion of the court. In case of juridical persons, the manager or the person who has charge of the management or administration of the property or, in his default, the person acting in his stead, shall be liable under this Section.

(2) Any person, natural or juridical, who induces another, as tenant, to execute or enter into a share tenancy contract with himself or with another in violation of this Code shall be punished by a fine not exceeding five thousand pesos with subsidiary imprisonment in accordance with the Revised Penal Code: *Provided*, That the execution of a share tenancy contract shall be considered *prima facie* evidence of such inducement as to the owner, civil law lessee, usufructuary or legal possessor. In case of juridical persons, the manager or the person who has charge of the management or administration of the property or, in his default, the person acting in his stead, shall be liable under this Section.

(3) Any person who executes an affidavit as required by Section thirteen of Chapter I, knowing the contents thereof to be false, shall be punished by a fine not exceeding one thousand pesos or imprisonment of not more than one year, or both, in the discretion of the court.

(4) Any person who wilfully violates the provisions of Sections forty and forty-one of this Code shall be punished by a fine of not less than one hundred pesos nor more than one thousand pesos or by imprisonment of not less than one month nor more than one year, or both such fine and imprisonment, in the discretion of the court. If any violation of Sections forty and forty-one of this Code is committed by a corporation, partnership or association, the manager

or, in his default, the person acting as such when the violation took place shall be criminally responsible.

(5) Any person who wilfully violates the provisions of Section forty-two of this Code shall, upon conviction thereof, be subject to a fine of not more than two thousand pesos or, upon second conviction, to imprisonment of not more than one year or both such fine and imprisonment, in the discretion of the court. If any violation of the provisions of Section forty-two of this Code is committed by a corporation, partnership or association, the manager or, in his default, the person acting as such when the violation took place shall be criminally responsible.

SEC. 168. *Pending Application for Mechanization.*—Any provision of this Code to the contrary notwithstanding, any application for mechanization where corresponding certifications for suitability for mechanization and for availability of resettlement by the Agricultural Tenancy Commission and the National Resettlement and Rehabilitation Administration, respectively, have been issued and proper notices served on the tenants at least two months prior to the approval of this Code shall be given due course and decided in accordance with the pertinent provisions and requirements of Republic Act Numbered Eleven hundred and ninety-nine, as amended.

SEC. 169. *Personnel of Reorganized or Abolished Agencies.*—Permanent officials and employees of all existing government agencies which are abolished or reorganized under this Code, subject to Civil Service rules and regulations, shall be absorbed and shall not be divested of their positions except presidential appointees: *Provided*, That those presidential appointees who cannot be absorbed and such officials and employees who prefer to be laid-off shall be given gratuity equivalent to one month salary for every year of service but in no case more than twenty-four month's salary, in addition to all benefits to which they are entitled under existing laws and regulations.

To carry out the provisions of this Section, there is hereby appropriated the sum of five hundred thousand pesos out of the unappropriated funds in the National Treasury.

SEC. 170. *Budgeting and Disbursing of Appropriated Funds.*—Any provision of this Code or of any existing law to the contrary notwithstanding, not more than sixty *per centum* of the specific appropriations provided in this Code for operating expenditures shall be used for personnel services: *Provided*, That in the case of the appropriations for the Agricultural Productivity Commission not more than twenty *per centum* shall be spent for office personnel and other administrative expenses thereof: *Provided, further*, That the total operating expenditures of the Agricultural Credit Administration shall not exceed three *per centum* of its total capitalization in addition to the allowance for losses granted under Section one hundred ten: *Provided, furthermore*, That all unexpended balances of all appropriations provided in this Code for operating expenditures shall revert to the National Treasury at the end of the fiscal year in conformity with the provisions of Section twenty-three of Republic Act Numbered Nine hundred ninety-two: *And provided, finally*, That all the financial requirements of the various agencies established in this Code for their operation except the Land Bank and the Agricultural Credit Administration shall be proposed in the President's budget in order that such appropriation as may be necessary therefor may be provided in the General Appropriation Acts for the succeeding fiscal years.

SEC. 171. *Separability of Provisions.*—If, for any reason, any section or provision of this Code shall be questioned in any court, and shall be held to be unconstitutional or invalid, no other section or provision of this Code shall be affected thereby.

SEC. 172. *Prior Inconsistent Laws.*—All laws or parts of any law inconsistent with the provisions of this Code are hereby repealed.

SEC. 173. *Effective Date.*—This Code shall take effect upon its approval.

Approved: August 8, 1963.

RA 3844 was amended by PD 251.

RA 3844 was amended by PD 444.

RA 3844 was amended by PD 1039.

RA 3844 was amended by RA 6389.

RA 3844 was amended by RA 7907.

RA 3844 was amended by RA 10878.

RA 3844 (sec. 53) was amended by RA 9700.

RA 3844 (sec. 62) was amended by PD 1817.

RA 3844 (sec. 162, first par.) was amended by RA 5984.

RA 3844 (sec. 163) was amended by RA 4886.

RA 3844 (Chap. IX) was repealed by PD 946.

RA 3844 (sec. 35) was repealed or amended by RA 6657.

S. No. 500

REPUBLIC ACT NO. 4886

AN ACT AMENDING SECTION ONE HUNDRED SIXTY-THREE OF REPUBLIC ACT NUMBERED THIRTY-EIGHT HUNDRED FORTY-FOUR, OTHERWISE KNOWN AS THE “AGRICULTURAL LAND REFORM CODE.”

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

SECTION 1. Section One hundred and sixty-three of Republic Act Numbered Thirty-eight hundred and forty-four, otherwise known as the “Agricultural Land Reform Code” is amended to read as follows:

“SEC. 163. *Functions of the Office of the Agrarian Counsel.*
- It shall be responsibility of the Office of Agrarian Counsel, upon proper notification by the party concerned or by the association or organization to which he belongs, to represent tenants, agricultural lessees, agricultural farm workers and agricultural owner-cultivators or the members of their immediate farm household referred to in this Code who cannot engage the services of competent private counsel in cases before the court of Agrarian Relations. This responsibility shall include representation before courts, including appellate, in cases, civil or criminal, instituted by or against said tenant, agricultural lessees, farm workers or owner-cultivators or the members of their immediate farm household, where the cases arise from or are connected with, or results or effects of an agrarian dispute.

SEC. 2. This Act shall take effect upon its approval.

Approved: June 17, 1967

H. No 16114

REPUBLIC ACT NO. 5984

AN ACT AMENDING THE FIRST PARAGRAPH OF SECTION ONE HUNDRED SIXTY-TWO OF REPUBLIC ACT NUMBERED THREE THOUSAND EIGHT HUNDRED FORTY-FOUR, KNOWN AS THE AGRICULTURAL LAND REFORM CODE (re appointment of subordinate officials)

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

SECTION 1. The first paragraph of Section one hundred sixty-two of Republic Act Numbered Three thousand eight hundred forty-four is hereby amended to read as follows:

“SEC. 162. *Appointment of Subordinate Officials.*— The Agrarian Counsel shall appoint the subordinate officials and employees of the Office of the Agrarian Counsel, subject to Civil Service rules and regulations, fix their compensation and prescribe their duties. The compensation of special attorneys transferred to the Office of Agrarian Counsel shall be fixed on salary scales corresponding to solicitors of the Office of the Solicitor General and the compensation of subordinate officials and employees shall be based on equivalent positions in the office of the Courts of Agrarian Relations: *Provided, finally,* That the compensation of employees whose positions do not have equivalence in the office of the Courts of Agrarian Relations shall be increased by thirty per cent of their salaries.”

SEC. 2. Such sum as may be needed in the adjustment of salaries herein involved shall be changed to current appropriation and/or savings of the Office, notwithstanding any provision of law to the contrary.

SEC. 3. This Act shall take effect upon its approval.

Enacted without Executive approval, August 4, 1969.

RA 5984 amended RA 3844 (sec. 162, par. 1).

7th Congress
S. No. 478
H. No. 3453

REPUBLIC ACT NO. 6389

AN ACT AMENDING REPUBLIC ACT NUMBERED THIRTY EIGHT HUNDRED AND FORTY-FOUR, AS AMENDED, OTHERWISE KNOWN AS THE AGRICULTURAL LAND REFORM CODE, AND FOR OTHER PURPOSES

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

SECTION 1. Sections 1, 2, 3 and 4 of Republic Act No. thirty eight hundred, and forty-four, otherwise known as the Agricultural Land Reform Code, are hereby amended to read as follows:

“SECTION 1. *Title.*—This Act shall be known as the Code of Agrarian Reforms of the Philippines.”

SEC. 2. *Declaration of Policy.*—It is the policy of the State:

“(1) To establish cooperative-cultivatorship among those who live and work on the land as tillers, owner-cultivatorship and the economic family-size farm as the basis of Philippine agriculture and, as a consequence, divert landlord capital in agriculture to industrial development;

“(2) To achieve a dignified existence for the small farmers free from pernicious institutional restraints and practices;

“(3) To create a truly viable social and economic structure in agriculture conducive to greater productivity and higher farm income through a cooperative system of production, processing, marketing, distribution, credit, and services;

“(4) To apply all labor laws equally and without discrimination to both industrial and agricultural wage earners;

“(5) To provide a more vigorous and systematic land resettlement program and public land distribution;

“(6) To make the small farmers more independent, self-reliant and responsible citizens, and a source of genuine strength in our democratic society;

“(7) To give first priority to measures for the adequate and timely financing of the Agrarian Reform Program pursuant to House Joint Resolution Numbered Two, otherwise known as the Magna Carta of Social Justice and Economic Freedom; existing laws; executive and administrative orders; and rules and regulations to the contrary notwithstanding;

“(8) To involve local governments in the implementation of the Agrarian Reform Program; and

“(9) To evolve a system of land use and classification.”

“SEC. 3. *Composition of Code.*—In pursuance of the policy enunciated in Section two, the following are established under this Code:

“(1) An agricultural leasehold system to replace all existing share tenancy systems in agriculture;

“(2) A system of crediting rental as amortization payment on purchase price;

“(3) A declaration of rights for agricultural labor;

“(4) A machinery for the acquisition and equitable distribution of agricultural land;

“(5) An institution to finance the acquisition and distribution of agricultural land;

“(6) A machinery to extend credit and similar assistance to agricultural lessees, amortizing owners-cultivator, owners-cultivator, and cooperatives;

“(7) A machinery to provide marketing, management, and other technical assistance and/or services to agricultural lessees, amortizing owners-cultivator, owners-cultivator, and cooperatives;

“(8) A machinery for cooperative development;

“(9) A department for formulating and implementing projects of agrarian reform;

“(10) An expanded program of land capability survey, classification, and registration;

“(11) A judicial system to decide issues arising under this Code and other related laws and regulations; and

“(12) A machinery to provide legal assistance to agricultural lessees, amortizing owners-cultivator, and owners-cultivator.”

“SEC. 4. *Automatic Conversion to Agricultural Leasehold.*—Agricultural share tenancy throughout the country, as herein defined, is hereby declared contrary to public policy and shall be automatically converted to agricultural leasehold upon the effectivity of this section.

“The credit assistance traditionally extended by a landowner and a local lender to a tenant under the share tenancy systems in agriculture for production loans and loans for the purchase of work animals, tillage equipment, seeds, fertilizers, poultry, livestock, feed and other similar items, and advances for the subsistence of a lessee and his family, may be continued by said landowner and local lender: *Provided*, That the total charges on these loans, including interest and service, inspection and insurance fees, shall not exceed fourteen *per cent* per calendar year and the principal thereof shall not be subject to upward adjustment even in case of extraordinary inflation and/or devaluation: *Provided, further*, That on all loans or advances other than money, the interest shall be computed on the basis of the current price of the goods at the time when the loans or advances were made.

“Any work animal and tillage equipment in the possession of a share tenant but owned by a landowner shall automatically be sold to said tenant on installment for a period not exceeding five years and at a price agreed upon by the parties: *Provided, however*, That the tenant shall pay in advance ten per cent of the price agreed upon.

“Existing share tenancy contracts may continue in force and effect in any region or locality, to be governed in the meantime by the pertinent provisions of Republic Act Numbered Eleven hundred and ninety-nine, as amended, until the end of the agricultural year when the President of the Philippines shall have organized by

executive order the Department of Agrarian Reform in accordance with the provisions of this amendatory Act, unless such contracts provide for a shorter period or the tenant sooner exercises his option to elect the leasehold system: *Provided*, That in order not to jeopardize international commitments, lands devoted to crops covered by marketing allotments shall be made the subject of a separate proclamation by the President upon recommendation of the department head that adequate provisions, such as the organization of cooperatives, marketing agreement, or other similar workable arrangements, have been made to insure efficient management on all matters requiring synchronization of the agricultural with the processing phases of such crops.

“In case some agricultural share tenants do not want to become agricultural lessees of their respective land-holding, they shall, with the assistance of the Bureau of Agrarian Legal Assistance, notify in writing the landowners concerned. In such a case, they shall have one agricultural year from the date of the notice to accept leasehold relationship, otherwise the landowner may proceed to their ejection.”

SEC. 2. Sections 11 and 12 of the same Code are hereby amended to read as follows:

“SEC. 11. *Lessee’s Right of Pre-emption*.—In case the agricultural lessor decides to sell the landholding, the agricultural lessee shall have the preferential right to buy the same under reasonable terms and conditions: *Provided*, That the entire landholding offered for sale must be pre-empted by the Department of Agrarian Reform upon petition of the lessee or any of them: *Provided, further*, That where there are two or more agricultural lessees, each shall be entitled to said preferential right only to the extent of the area actually cultivated by him. The right of pre-emption under this Section may be exercised within one hundred eighty days from notice in writing, which shall be served by the owner on all lessees affected and the Department of Agrarian Reform.

“If the agricultural lessee agrees with the terms and conditions of the sale, he must give notice in writing to the agricultural lessor of his intention to exercise his right of pre-emption within the balance of one hundred eighty day’s period still available to him, but in any case not less than thirty days. He must either tender payment of, or present a certificate from the land bank that it shall make payment pursuant to section eighty of this Code on, the price of the landholding to the agricultural lessor. If the latter refuses to accept such tender or presentment, he may consign it with the court.

“Any dispute as to the reasonableness of the terms and conditions may be brought by the lessee or by the Department of Agrarian Reform to the proper Court of Agrarian Relations which shall decide the same within sixty days from the date of the filing thereof: Provided, That upon finality of the decision of the Court of Agrarian Relations, the Land Bank shall pay to the agricultural lessor the price fixed by the court within one hundred twenty days: *Provided, further,* That in case the Land Bank fails to pay within that period, the principal shall earn an interest equivalent to the prime bank rate existing at the time.

“Upon the filing of the corresponding petition or request with the department or corresponding case in court by the agricultural lessee or lessees, the said period of one hundred and eighty days shall cease to run.

“Any petition or request for pre-emption shall be resolved within sixty days from the filing thereof; otherwise, the said period shall start to run again.”

“SEC. 12. *Lessee’s right of Redemption.*—In case the landholding is sold to a third person without the knowledge of the agricultural lessee, the latter shall have the right to redeem the same at a reasonable price and consideration: *Provided,* That where there are two or more agricultural lessees, each shall be entitled to said right of redemption only to the extent of the area actually cultivated by him. The right of redemption under this Section may be exercised within one hundred eighty days from notice in writing

which shall be served by the vendee on all lessees affected and the Department of Agrarian Reform upon the registration of the sale, and shall have priority over any other right of legal redemption. The redemption price shall be the reasonable price of the land at the time of the sale.

“Upon the filing of the corresponding petition or request with the department or corresponding case in court by the agricultural lessee or lessees, the said period of one hundred and eighty days shall cease to run.

“Any petition or request for redemption shall be resolved within sixty days from the filing thereof; otherwise, the said period shall start to run again.

“The Department of Agrarian Reform shall initiate, while the Land Bank shall finance, said redemption as in the case of pre-emption.”

SEC. 3. Section fourteen of the same Code is hereby repealed.

SEC. 4. Section 32 of the same Code is hereby amended to read as follows:

“SEC. 32. *Cost of Irrigation System.*—The cost of construction of a permanent irrigation system, including distributory canals, may be borne exclusively by the agricultural lessor who shall be entitled to an increase in rental proportionate to the resultant increase in production: *Provided*, That if the agricultural lessor refuses to bear the expenses of construction the agricultural lessee/or lessees may shoulder the same, in which case the former shall not be entitled to an increase in rental and shall, upon the termination of the relationship, pay the lessee or his heir the reasonable value of the improvement at the time of the termination: *Provided, further*, That if the irrigation system constructed does not work, it shall not be considered as an improvement within the meaning of this Section: *Provided, furthermore*, That the lessees, either as individuals or as groups, shall undertake the management and control of irrigation

systems within their respective jurisdiction. However, those constructed and operated by the government may be given to the lessees either as individuals or as groups at their option with the right to maintain, manage and operate such irrigation systems and to collect and receive rentals therefrom: *Provided, still further*, That the lessees, either as individuals or as groups, shall allocate not more than twenty-five *per cent* of their collection for rentals to the government if the irrigation system has obligations to meet until paid, otherwise such irrigation system will be maintained, managed and operated solely by the lessees either as individuals or as groups, subject to such rules on water rights and water use promulgated by the National Irrigation Administration or such other government agencies authorized by law: *Provided, finally*, That if the irrigation system is installed and/or constructed at the expense of the landowner or agricultural lessor, the Department of Agrarian Reform shall initiate, while the Land Bank shall finance, the acquisition of such irrigation system at its current fair market value so that the ownership thereof may be vested in the lessees as individuals or groups.”

SEC. 5. Section 34 of the same Code is hereby amended to read as follows:

“SEC. 34. *Consideration for the Lease of Riceland and Lands Devoted to Other Crops.*—The consideration for the lease of riceland and lands devoted to other crops shall not be more than the equivalent of twenty-five *per centum* of the average normal harvest or if there have been no harvests, then the estimated normal harvest during the three agricultural years immediately preceding the date the leasehold was established after deducting the amount used for seeds and the cost of harvesting, threshing, loading, hauling and processing, whichever are applicable: *Provided*, That if the land has been cultivated for a period of less than three years, the initial consideration shall be based on the average normal harvest or if there have been no normal harvests, then the estimated normal harvest during the preceding years when the land was actually cultivated, or on the harvest of the first year in the case of newly cultivated lands, if that harvest is normal harvests, the final

consideration shall be based on the average normal harvest during these three preceding agricultural years.

“In the absence of any agreement between the parties as to the rental, the Court of Agrarian Relations shall summarily determine a provisional rental in pursuance of existing laws, rules and regulations and production records available in the different field units of the department, taking into account the extent of the development of the land at the time of the conversion into leasehold and the participation of the lessee in the development thereof. This provisional rental shall continue in force and effect until a fixed rental is finally determined. The court shall determine the fixed rental within thirty days after the petition is submitted for decision.

“If capital improvements are introduced on the farm not by the lessee to increase its productivity, the rental shall be increased proportionately to the consequent increase in production due to said improvements. In case of disagreement, the Court shall determine the reasonable increase in rental.”

SEC. 6. A new section is hereby inserted after Section 34, to be designated as Section “34-A”, which shall read as follows:

“SEC. 34-A. *Rental credited as amortization payment on purchase price.*—The rental paid under the preceding section after the approval of this amendatory Act shall be credited as amortization payment on the purchase price of the landholding tilled by the lessee in any of the following instances:

“(1) When the landholding is expropriated by the government for the lessee; and

“(2) When it is redeemed.

“The purchase price of the landholding shall be determined by the parties or the government agencies concerned on the same basis prescribed under section fifty-six of this Code: *Provided*, That whatever balance remains after crediting as amortization the rental

paid, the same may be financed by the Land Bank in the same ratio and mode of payment as provided under section eighty of this Code.

“The provisions of Act Numbered Four hundred ninety-six, as amended, and other laws to the contrary notwithstanding, the Land Registration Commission is hereby authorized concurrently with the Bureau of Lands to approve survey plans of lands intended for original registration and to issue transfer certificate of title in favor of the new amortizing-owner-beneficiaries under this section and the Registries of Deeds to register the same. For this purpose, the Land Registration Commissioner shall issue the necessary rules and regulations for the implementation of this provision.

“The Department and/or the Bank, in appropriate cases, shall facilitate the immediate issuance of the corresponding transfer certificate of title of the landholding to the new amortizing owner with the encumbrance thereof duly annotated.

“Provisions of existing laws, rules and regulations to the contrary notwithstanding, any amortizing owner may use this transfer certificate of title to obtain a loan from any public or private lending institution and he shall be entitled to borrow therefor an amount not less than sixty *per centum* of the fair market value of the property: *Provided*, That the proceeds of such loan shall be applied as follows: fifty *per centum* as partial payment of any unpaid balance on the landholding and the remaining fifty *per centum* for the capital improvement of the land and operating capital for farm operations of the amortizing owner.

“The payment of all loans obtained pursuant to the provisions of this section shall be guaranteed by the Land Bank and for this purpose, it shall set aside a sinking fund in such amount as may be necessary to be determined by its Board of Trustees.

“In case of default in the payment of three consecutive installments on the loan, the lender shall immediately notify, among others, the Land Bank and the department of such default, and thereafter, these agencies shall take the appropriate steps either:

“(1) To answer for the default in case the reason therefor is due to fortuitous event, or

“(2) In any other case, to take over the ownership and administration of said property.

“In the latter case mentioned under the preceding paragraph, the government shall endeavor to substitute the defaulting amortizing owner with a new one who does not own any land and who shall be subrogated to the rights, and shall assume the obligations, of the former amortizing owner.

“The rules prescribed in the two immediately preceding paragraphs shall apply in case the lessee defaults in the payment of at least three consecutive rental amortizations, with the former landowner giving the required notice in proper cases.

“In all instances where default is due to fortuitous events the Land Bank shall be answerable for such default and the farmers shall be released from the obligations to pay such installment or installments due together with interest thereon.”

SEC. 7. Section 36(1) of the same Code is hereby amended to read as follows:

“(1) The landholding is declared by the department head upon recommendation of the National Planning Commission to be suited for residential, commercial, industrial or some other urban purposes: *Provided*, That the agricultural lessee shall be entitled to disturbance compensation equivalent to five times the average of the gross harvests on his landholding during the last five preceding calendar years;”

SEC. 8. Section 39(2) of the same Code is hereby amended to read as follows:

“(2) Right to engage in concerted activities as defined under Republic Act Numbered Eight hundred and seventy-five;”

SEC. 9. The Titles of Chapter III and Article I and Sections 49 and 50 of the same Code are hereby amended to read as follows:

“Chapter III.—Department of Agrarian Reform.

“Article I.—*Organization and Functions of the Department of Agrarian Reform.*

“SEC. 49. *Creation of the Department of Agrarian Reform.*—For the purpose of carrying out the policy of establishing owner-cultivatorship and the economic family-size farm as the basis of Philippine agriculture and other policies enunciated in this Code, there is hereby created a Department of Agrarian Reform, hereinafter referred to as Department, which shall be directly under the control and supervision of the President of the Philippines. It shall have authority and responsibility for implementing the policies of the state on agrarian reforms as provided in this Code and such other existing laws as are pertinent thereto.

“The Department shall be headed by a Secretary who shall be appointed by the President with the consent of the Commission on Appointments.

“He shall be assisted by one Undersecretary who shall be appointed by the President with the consent of the Commission on Appointments.

“SEC. 50. *Qualifications and Compensations of Secretary and Undersecretary.*—No person shall be appointed Secretary or Undersecretary of the Department unless he is a natural-born citizen of the Philippines, with proven executive ability and adequate background and experience in land reform here and/or elsewhere for at least five (5) years, and at least thirty-five years of age: *Provided, however,* That the Undersecretary shall be a career administrator and, at the time of his appointment, shall not be more than fifty-seven (57) years of age, unless the President has determined that he possesses special qualifications and his services are needed,

“The Secretary and the Undersecretary shall have, among other qualifications, demonstrated interest in, and concern for, the needs and problems of the rural and farm populations and the solutions thereto: *Provided*, That no person who owns any farmholding shall be appointed as Secretary or Undersecretary unless such farmholding is under the leasehold system or the system of agricultural land ownership transfer direct to the tiller.

“The Secretary shall receive an annual compensation equivalent to any other executive department secretary; the Undersecretary shall receive an annual compensation equivalent to any other executive department undersecretary.”

SEC. 10. The following new sections are hereby inserted after Section 50, to be designated as Sections “50-A to 50-I,” which shall read as follows:

“SEC. 50-A. *Powers and functions of the Secretary.*— In addition to the powers and functions specified in this Code, the Secretary shall exercise such powers and perform such functions and duties as are required of any executive department secretary under existing laws.”

“SEC. 50-B. *Powers and functions of the Undersecretary.*— In addition to the powers and functions specified in this Code, the Undersecretary shall exercise such powers and perform such functions and duties as are required of any executive Department Undersecretary under existing laws.”

“SEC. 50-C. *Vacancy in office or incapacity.*—In case of vacancy in the office of Secretary or inability of the Secretary to exercise his powers and perform his functions and duties due to his illness, absence or any other cause, the Undersecretary shall temporarily perform the functions of the said office.”

“SEC. 50-D. *Office of the Secretary; Appointment of Personnel.*— The office of the Secretary shall be composed of the Secretary, the

Undersecretary, the chiefs of the staff services or units directly under the department proper, together with the personnel thereof.

“All personnel of the department proper shall be appointed by the Secretary in accordance with applicable civil service law and rules.”

“SEC. 50-E. *Creation of Staff Services; Functions.*— There shall be created in the department a planning service, a financial and management service, an administrative service, and such other staff services as the Secretary may deem necessary to establish in accordance with this section, each to be headed by a chief, which shall be organized and shall perform the functions as follows:

“(1) *Planning Service*

“The Planning Service shall be responsible for providing the department with economical, efficient, and effective services relating to planning, programming and project development.

“(2) *Financial and Management Service*

“The Financial and Management Service shall be responsible for providing the department with staff advice and assistance on budgetary, financial, and management improvement matters.

“(3) *Administrative Service*

“The Administrative Service shall be responsible for providing the department with economical, efficient, and effective services relating to personnel, legal assistance, information, records, supplies, equipment, collection, disbursements, security, and custodial work.

“SEC. 50-F. *Creation of Bureaus; Functions.*—There shall be under the department the following bureaus each to be headed by a Director who shall be assisted by an Assistant Director, charged with the direct implementation of the programs and policies of the Department:

“(1) The Bureau of Farm Management which shall be responsible for the development and implementation of programs on increased productivity, home improvement, and rural youth development;

“(2) The Bureau of Land Acquisition, distribution and development which shall be responsible for the distribution of lands to *bona fide* farmers, for conducting land capability survey and classification, and for the improvement of lands acquired by the Department;

“(3) The Bureau of Resettlement which shall be responsible for the resettlement of displaced farmers, landless families, and urban workers in the settlement projects of the Department, the construction of houses, roads and other facilities, and the taking of a census of all proclaimed and unproclaimed resettlements; and

“(4) The Bureau of Agrarian Legal Assistance which shall be responsible for extending legal assistance to farmers including those provided under Republic Act Numbered Forty-eight hundred and eighty-six, the execution of leasehold contracts and apprising the farmers with their rights and duties under the law.

“Each of these bureaus may establish such divisions as are necessary for the economical, efficient and effective performance of its functions.”

“SEC. 50-G. *Appointment, Qualifications and Compensations of Directors and Assistant Directors; Appointment of Personnel.*— The Director of a Bureau and his assistant shall each receive the equivalent compensation, and shall be appointed in the same manner as any other director or assistant director of a bureau.

“No person shall be appointed director or assistant director of a bureau unless he is a natural-born citizen of the Philippines, with proven executive ability and adequate background and experience

in land reform here and/or elsewhere for at least three (3) years, and at (east twenty-five years of age: *Provided*, That the Director or Assistant Director shall be a career administrator and, at the time of his appointment, shall not be more than fifty-seven (57) years of age, unless the President has determined that he possesses special qualifications and his services are needed: *Provided, further*, That the Director or Assistant Director shall have, among other qualifications, demonstrated interest in, and concern for, the needs and problems of the rural and farm population and the solutions thereto: *Provided, finally*, That no person who owns any farmholding shall be appointed as Director or Assistant Director unless such farmholding is under the leasehold system or the system of agricultural land ownership-transfer direct to the tiller.

“All personnel of the Bureaus shall be appointed by the Secretary, upon recommendation of their respective Director, in accordance with applicable civil service law and rules.”

“SEC. 50-H. *Functions of Director and Assistant Director.*—The Director or in his absence, the Assistant Director, shall exercise such powers and perform such functions and duties as are provided for under existing laws, in addition to the powers and functions provided for in this Code.”

“SEC. 50-I. *Regional and Field Offices.*—The Department may have regional and other field offices, the number, location and organization of which shall be determined by the Department in conformity with the area pattern prescribed hereunder:

“(1) The Department, in the establishment of regional and other field offices, shall follow the field service area pattern authorized below. There are established ten regions, each with definite regional centers within the region as follows:

“*a.* Region No. 1 is called the Ilocos Region, and comprises the provinces of Batanes, Ilocos Norte, Ilocos Sur, Abra, La Union, Benguet, and Mountain Province and the cities of Baguio, and Laoag, with, the regional center at San Fernando, La Union;

“*b.* Region No. 2 is called the Cagayan Valley Region, and comprises the provinces of Cagayan, Isabela, Nueva Vizcaya, Quirino (Sub-province), Ifugao, and Kalinga-Apayao, with the regional center at Tuguegarao, Cagayan;

“*c.* Region No. 3 is called the Central Luzon Region, and comprises the provinces of Pangasinan, Tarlac, Nueva Ecija, Pampanga, Zambales, Bulacan, Bataan, and the cities of Angeles, Cabanatuan, Dagupan, Olongapo, Palayan, San Carlos (Pangasinan) and San Jose (Nueva Ecija), with the regional center at San Fernando, Pampanga;

“*d.* Region No. 4 is called Southern Tagalog Region, and comprises the provinces of Rizal, Cavite, Laguna, Batangas, Quezon, Marinduque, Oriental Mindoro, Occidental Mindoro, Romblon, Aurora (Sub-province), and Palawan, and the cities of Batangas, Caloocan, Cavite, Lipa, Lucena, Manila, Pasay, Puerto Princesa, Quezon, San Pablo, Tagaytay, and Trece Martires with the regional center at greater Manila;

“*e.* Region No. 5 is called the Bicol Region, and comprises the provinces of Camarines Norte, Camarines Sur, Albay, Catanduanes, Masbate, and Sorsogon, and the cities of Iriga, Legazpi and Naga, with the Regional center at Legazpi City;

“*f.* Region No. 6 is called the Western Visayas Region, and comprises the provinces of Negros Occidental, Iloilo, Guimaras (Sub-province), Antique, Aklan, and Capiz, and the cities of Bacolod, Bago, Cadiz, Iloilo, La Carlota, Roxas, San Carlos (Negros Occidental) and Silay, with the regional center at Iloilo City;

“*g.* Region No. 7 is called the Central and Eastern Visayas Region, and comprises the provinces of Negros Oriental, Siquijor (Sub-province), Cebu, Bohol, Northern Samar, Eastern Samar, Western Samar, Leyte, Southern Leyte and Biliran (Sub-province) and the cities of Bais, Calbayog, Canlaon, Catbalogan, Cebu, Danao, Dumaguete, Lapu-Lapu,

Ormoc, Mandawe, Tacloban, Tagbilaran, and Toledo, with the regional center at Cebu City.

“h. Region No. 8 is called the Western Mindanao Region, and comprises the provinces of Misamis Occidental, Lanao del Norte, Lanao del Sur, Zamboanga del Norte, Zamboanga del Sur, and Sulu, and the cities of Basilan, Dapitan, Dipolog, Iligan, Marawi, Oroquieta, Ozamis, Pagadian, Tangub, and Zamboanga with the regional center at Zamboanga City;

“i. Region No. 9 is called the Central Mindanao Region, and comprises the provinces of Camiguin, Misamis Oriental, Bukidnon, Cotabato, and South Cotabato, and the cities of Cagayan de Oro, Cotabato, General Santos, and Gingoog, with the regional center at Cagayan de Oro City;

“j. Region No. 10 is called the Eastern Mindanao Region, and comprises the provinces of Surigao del Norte, Surigao del Sur, Agusan del Norte, Agusan del Sur, Davao del Norte, Davao Oriental, and Davao del Sur, and the cities of Butuan, Davao and Surigao, with the regional center at Davao City;

“(2) The Department shall organize an integrated and department-wide field services as the exigencies of the Agrarian Reform Program may require: *Provided*, That the Department shall establish in every regional or other field office organized, a consultative and coordinating body which shall include in its membership a tiller-lessee representing the agricultural lessees and a representative from the local governments of the area where said office is operating.

“(3) The regional office shall be headed by a Regional Director who may be assisted, whenever necessary, by an Assistant Regional Director. The Regional Director and Assistant Director, if any, shall be appointed by the Secretary in accordance with applicable civil service law and rules; *Provided, however*, That the Regional Director and Assistant Regional Director shall have the same qualifications as Bureau Director and Assistant Director, respectively.

“All personnel of the Regional and other offices shall be appointed by the Secretary upon recommendation of their respective regional director, in accordance with applicable civil service law and rules: *Provided*, That applicants from the region, who possess the required qualifications, shall be appointed to vacant positions in the said region, unless nobody among the said applicants is qualified; in which case, applicants from other regions may be considered.

“(4) The Regional Director shall be responsible in carrying out the policies and implementing the plans and programs of the Department in the regional area under his jurisdiction: *Provided, however*, That when the department’s function or activity transcends regional boundaries and requires central and/or inter-regional action, said functions may be performed under the direct supervision and control of the department.

“(5) The Regional offices shall have units on agricultural extension, credit and legal assistance, as well as cooperative development; or personnel in which the functional areas of the department may be represented. There shall be in these regional units as much combination of related functions as possible.

“(6) The functions of a regional office shall be as follows:

- “a. Implement laws, policies, plans, programs, rules and regulations of the Department in the regional area;
- “b. Provide economical, efficient, and effective service to the people in the area;
- “c. Coordinate with regional offices of other departments, bureaus, agencies in the area;
- “d. Coordinate with local government units in the area; and
- “e. Perform such related functions as may be provided by other existing laws.”

SEC. 11. The Land Reform Project Administration and its governing body, the National Land Reform Council, under the Office of the President, are hereby abolished; and their functions are transferred to the Department, together with applicable appropriations, records, equipment, property and all the organic, contributed and/or assigned personnel to the Land Reform Project Administration pursuant to this Code, other existing laws and Executive Order Numbered Seventy-five, Series of Nineteen hundred and sixty-four, as well as such personnel as may be necessary from its governing body, the National Land Reform Council.

SEC. 12. The Land Authority under the Office of the President and a member-agency of the Land Reform Project Administration is hereby abolished; and its functions are transferred to the Department, together with applicable appropriations, records, equipment, property, and such personnel as may be necessary.

SEC. 13. The Secretary shall, in consultation with the Undersecretary and Bureau Directors, allocate by Department Order to the different bureaus, agencies and regional offices of the Department the functions of the agencies, offices and/or units abolished and not otherwise assigned by this Amendatory Act or by the organization plan of the Department to a particular agency or office.

SEC. 14. The Land Bank of the Philippines is hereby attached to the Department as its land financing arm and shall devote all of its resources to agrarian reforms.

The Agricultural Credit Administration under the Office of the President shall coordinate and cooperate with the Department as its credit arm and shall devote its resources to agrarian reforms.

The Land Bank of the Philippines and the Agricultural Credit Administration, in addition to the functions and duties assigned to them under existing laws, executive and administrative orders, and rules and regulations, shall be responsible for rendering staff advice and assistance to the Secretary of the Department. The regional

offices or field units of these entities and/or instrumentalities shall likewise coordinate and cooperate with the regional office or field units of the Department, respectively.

SEC. 15. Within sixty (60) days from the approval of this Amendatory Act, the President by Executive Order shall, upon recommendation of the Special Technical Committee created under Special Order Numbered Eleven, Series of Nineteen hundred and seventy-one, of the Land Reform Project Administration, and the Commission on Reorganization created pursuant to Republic Act No. 5435, as amended, organize the said Department in accordance with the provisions of this Amendatory Act with the end in view of achieving economy and maximum efficiency and effectiveness and of strictly observing the merit system in the retention and promotion of the best qualified personnel: *Provided*, That the administrative machineries of the entities attached and/or required under this Code to coordinate and cooperate with the Department, as well as the agencies servicing the same, shall also be reorganized to enable them to align their activities with the requirements and objectives of this Code: *Provided, further*, That not more than ten per cent of the personnel of the Department and the bureaus, offices, agencies and/ or entities under, coordinating or servicing it shall be stationed in the Central Office; *Provided, finally*, That not more than five per cent of the total personnel in the regional, team, resettlement agency or equivalent field offices shall be stationed in such offices.

SEC. 16. Section 51 of the same Code is hereby amended to read as follows:

“SEC. 51. *Powers and Functions*.—It shall be the responsibility of the Department:

“(1) to initiate and prosecute expropriation proceedings for the acquisition of private agricultural lands as defined in Section one hundred sixty-six of Chapter XI of this Code for the purpose of subdivision into economic family-size farm units and resale of said farm units to *bona fide* tenants, occupants and qualified farmers: *Provided*, That

the powers herein granted shall apply only to private agricultural lands subject to the terms and conditions and order of priority hereinbelow specified.

- “a. all idle or abandoned private agricultural lands, except those held or purchased within one year from the approval of this Code by private individuals or corporations for the purpose of resale and subdivision into economic family-size farm units of not more than six (6) hectares each in accordance with the policies enunciated in this Code: *Provided*, That the subdivision and resale shall be substantially carried out within one year from the approval of this Code;

- “b. all private agricultural lands suitable for subdivision into economic family-size farm units of not more than six (6) hectares owned by private individuals or corporation worked by lessees, no substantial portion of whose landholding in relation to the area sought to be expropriated, is planted to permanent crops under labor administration, in excess of twenty-four hectares except all private agricultural lands under labor administration: *Provided*, That private agricultural lands occupied and cultivated continuously for not less than ten years by tillers or their ascendants who are not farm laborers or lessees may be subject to expropriation under this Code: *Provided, further*, That any court action filed for the ejection of the tiller shall not interrupt the running of the ten-year period unless such action is filed within three years from the date of occupancy: *Provided, finally*, That if the final decision rendered in the court action is favorable to the tiller, the ten-year period shall be considered as continuous and uninterrupted; and

- “c. in expropriating private agricultural lands declared by the Department of Agrarian Reform to be

necessary for the implementation of the provisions of this Code, the following order of priority shall be considered;

1. idle or abandoned lands;
2. those whose area exceeds 1,024 hectares;
3. those whose area exceeds 500 hectares but is not more than 1,024 hectares;
4. those whose area exceeds 144 hectares but is not more than 500 hectares;
5. those whose area exceeds 75 hectares but is not more than 144 hectares; and
6. those whose area exceeds 24 hectares but is not more than 75 hectares.

“(2) To acquire private agricultural lands regardless of area through negotiated purchase subject to approval of the court as to price for distribution and sale at cost to their actual occupants who are tillers of the land in lots of not more than six hectares: *Provided*, That where there are several groups or individuals of such tillers petitioning for the acquisition of their respective occupancy, priority shall be given to the group with a greater number of tillers who first filed the petition over a group with a lesser number of tillers, and the latter over individual tillers: *Provided, further*, That the group or individual who has continuously tilled the land longest shall have first priority;

“(3) To help bona fide farmers without lands or agricultural owner-cultivators of uneconomic size farms to acquire and own economic family-size farm units of not more than six hectares each;

“(4) To administer and dispose of agricultural lands of the public domain under the custody and administration of the National Resettlement and Rehabilitation Administration and the Economic Development Corps of the Armed Forces of the Philippines prior to the approval of this Amendatory Act and such other public agricultural lands as may hereafter be reserved by the President of the Philippines or by law for resettlement and sale, in accordance with such terms and conditions as are set forth under this chapter:

Provided, That the exercise of the authority granted herein, as well as the preceding sub-paragraph, shall not contravene public policy on the permanency of forest reserves or other laws intended for the preservation and conservation of public national and municipal forests, parks and watersheds: *Provided, further*, That said authority shall not be construed to exclude the other modes of disposition of public agricultural lands under the public land Act or to contravene the authority granted by law to the Department of Agriculture and Natural Resources over all public agricultural lands not covered by the Agrarian Reform Program: *Provided, finally*, That the Secretary of the Department of Agriculture and Natural Resources shall within a period of ten years from the approval of this Amendatory Act, release to the Department of Agrarian Reform for resettlement and sale all lands of the public domain reserved for agricultural resettlement and sale except public agricultural lands which are reserved as settlements for the national cultural minorities under the administration of the Commission on National Integration;

“(4) To develop plans and initiate actions for the systematic opening of alienable and disposable lands of the public domain for speedy distribution to and development by deserving and qualified persons who do not own any land in sizes of not more than six hectares;

“(5) To recommend to the President, from time to time after previous consultation with the Secretary of Agriculture and Natural Resources, what portion of the alienable, or disposable public lands shall be reserved for resettlement or disposition under this Chapter;

“(6) To give economic family-size farms of not more than six hectares to landless citizens of the Philippines who need, deserve, and are capable of cultivating the land personally, through organized resettlement, under the terms and conditions the Department may prescribe, giving priority to qualified and deserving farmers in the province where such lands are located;

“(7) To reclaim swamps and marshes for agricultural purposes only, obtain titles thereto whenever feasible and subdivide them

into economic family-size farms of not more than six hectares for distribution to deserving and qualified farmers;

“(8) To undertake measures which will insure the early issuance of titles to persons or corporations who have actually settled and cultivated disposable alienable lands of the public domain;

“(9) To survey, subdivide and set aside lands or areas of land-holdings under its custody and administration for economic family-size farms, large-scale farm operations, town sites, roads, parks, government centers and other civic improvements as circumstances may warrant: *Provided*, That the Bureau of Lands and the Land Registration Commission, as the case may be, shall verify the said surveys or subdivisions, and after such verifications, approve or disapprove the same; and issue, in case of approval of said surveys or subdivisions, the corresponding patents and titles thereto;

“(10) To inform the Agricultural Productivity Commission and the Department of Agriculture and Natural Resources of the problems of settlers and farmers on lands under its administration and in land reform areas: *Provided*, That it is mandatory for the said Commission and Department to provide field agricultural extension service to these areas upon being informed of the problems obtaining: *Provided, further*, That settlement projects and land reform areas, especially private agricultural lands acquired by the government, shall be given first priority in the diffusion of useful and practical information, knowledge and skills on agriculture, soil conservation, livestock, fisheries, forest conservation, public lands and natural resources laws, home economics and rural life, in order to encourage their application through field demonstrations, lectures and conferences, publications and other means of imparting information, stimulation, promotion and organization of agricultural cooperatives and encouragement in the formation and growth of private associations, study clubs, committees and other groups of farmers and members of their family that will enhance their social and economic conditions;

“(11) To acquire for agricultural lessees exercising their right of pre-emption and redemption under Chapter I of this Code, any land-holdings mentioned thereunder;

“(12) To conduct land capability survey and classification of the entire country and print maps;

“(13) To make such arrangements with the Land Bank with respect to titles of agricultural lands of the public domain under its administration as will be necessary to carry out the objectives of this Code;

“(14) To expropriate home lots occupied by agricultural lessees outside their landholdings for resale at cost to said agricultural lessees;

“(15) To see to it that all agricultural lands, either public or private, distributed by the government to the beneficiaries of the Agrarian Reform Program shall be sold only by the said beneficiaries to the government; and

“(16) To submit to the President of the Philippines and to both Houses of Congress through their presiding officers, to the Secretary of Finance and to the Auditor General within sixty days of the close of the fiscal year, an annual report showing its Accomplishments during the year; the expropriation proceedings it has undertaken; the expenditures it has incurred and other financial transactions undertaken with respect thereto.”

SEC. 17. Section 56 of the same Code is hereby amended to read as follows:

“SEC. 56. *Just Compensation.*—In determining the just compensation of the land to be expropriated pursuant to this Chapter, the Court shall consider as basis, the fair market value, without prejudice to considering the assessed value and other pertinent factors.

“The owner of the land expropriated shall be paid in accordance with Section eighty of this Code by the Land Bank and pursuant to an arrangement herein authorized.”

SEC. 18. Section 71 of the same Code is hereby amended to read as follows:

“SEC. 71. *Power of the Department of Agrarian Reform to sell to Holders of Bonds Issued to Former Landowners whose Land have been Purchased for Redistribution.*—The Department of Agrarian Reform shall sell, for a price not less than the appraised value, any portion not exceeding one hundred forty-four hectares in the case of individuals of the public agricultural lands transferred to the Land Bank which is suitable for large-scale farm operations to any holder, who is qualified to acquire agricultural lands through purchase, of bonds issued to former landowners whose lands have been purchased for redistribution under this Code, subject to the condition that the purchaser shall, within two years after acquisition, place under cultivation at least thirty *per centum* of the entire area under plantation administration and the remaining seventy *per centum* within five years from the date of acquisition. The Secretary shall issue the title of said land upon showing that the purchaser has developed and cultivated at least one-fourth of his land under plantation administration.

Any public agricultural land sold as hereinabove specified shall not be the object of any expropriation as long as the same is developed and cultivated for large-scale production under farm labor management: *Provided, however,* That after the capital invested therein for development, plus a reasonable margin of profit shall have been fully recovered, or after the lapse of twenty-five years from the date of acquisition, whichever comes earlier, said land shall become expropriable.

The selling price of the portion of the public agricultural land sold under this Section shall be credited to the Land Bank. As payment for the land sold under this Section, the Land Bank shall accept as sole instruments of payment the bonds issued pursuant to

Section seventy-six. Issued bonds accepted as payment for the land sold shall be cancelled to the extent of the amount paid.

All sales under this Code shall be subject to the rules and regulations which the Department of Agrarian Reform in consultation with the Land Bank, shall prescribe insofar as they are not inconsistent with the provisions of this Code.

SEC. 19. Section 76 of the same Code is hereby amended to read as follows:

“SEC. 76. Issuance of Bonds.—The Land Bank shall, upon recommendation by the Board of Trustees and approval of the Monetary Board of the Central Bank, issue bonds, debentures and other evidences of indebtedness at such terms, rates and conditions as the Bank may determine up to an aggregate amount not exceeding, at any one time, five times its unimpaired capital and surplus. Such bonds and other obligations shall be secured by the assets of the Bank and shall be fully tax exempt both as to principal and income. Said income shall be paid to the bondholders every six (6) months from the date of issue. These bonds and other obligations shall be fully negotiable and unconditionally guaranteed by the Government of the Republic of the Philippines and shall be redeemable at the option of the Bank at or prior to maturity, which in no case shall exceed twenty-five years. These negotiable instruments of indebtedness shall be mortgageable in accordance with established banking procedures and practice to government institutions, existing charters and/or laws to the contrary notwithstanding, not to exceed sixty *per centum* of their face value to enable the holders of such bonds to make use of them in investments in productive enterprises. They are eligible as legal reserves against deposit liabilities of banks, subject to the terms and conditions which the Central Bank of the Philippines may impose. They shall also be accepted as payments for reparation, equipment and materials, the provisions of Republic Act Numbered Seventeen hundred and eighty-nine, as amended, to the contrary notwithstanding.

The Board of Trustees shall have the power to prescribe rules and regulations for the registration of the bonds issued by the Bank at the request of the holders thereof.”

SEC. 20. Section 80 of the same Code is hereby amended to read as follows:

“SEC. 80. *Making Payment to Owners of Landed Estates.*—The Land Bank shall make payments in the form herein prescribed to the owners of the land acquired by the Department of Agrarian Reform for division and resale under this Code. Such payment shall be made in the following manner: twenty per centum in cash and the remaining balance in six per cent, tax-free, redeemable bonds issued by the Bank in accordance with Section seventy-six, unless the landowner desires to be paid in shares of stock issued by the Land Bank in accordance with Section seventy-seven in an amount not exceeding thirty *per centum* of the purchase price.

“In the event there is an existing lien or encumbrance on the land in favor of any Government institution at the time of acquisition by the Land Bank, the bonds and/or shares, in that order, shall be accepted as substitute collaterals to secure the indebtedness, existing charters of these institutions to the contrary notwithstanding.

“The profits accruing from payment shall be exempt from the tax on capital gains.”

SEC. 21. Section 85 of the same Code is hereby amended to read as follows:

“SEC. 85. *Use of Bonds.*—The bonds issued by the Land Bank may be used by the holder thereof and shall be accepted in the amount of their face value as any of the following:

“(1) Payment for agricultural lands or other real properties purchased from the Government;

“(2) Payment for the purchase of shares of stock of all or substantially all of the assets of the following Government owned or controlled corporations: The National Development Company; Philippine National Bank; Philippine National Railways; Cebu Portland Cement Company; National Shipyards and Steel Corporations; Manila Gas Corporation; and the Manila Hotel Company.

“Upon offer by the bondholder, the corporation owned or controlled by the Government shall, through its Board of Directors, negotiate with such bondholder with respect to the price and other terms and conditions of the sale. In case there are various bondholders making the offer, the one willing to purchase under terms and conditions most favorable to the corporations shall be preferred. If no price is acceptable to the corporation, the same shall be determined by the Committee of Appraisers composed of three members, one to be appointed by the corporation, another by the bondholder making the highest or only offer, and the third by the two members, so chosen. The expense of appraisal shall be borne equally by the corporation and the successful purchaser.

“Should the Government offer for sale to the public any or all of the shares of stock or the assets of any of the Government owned or controlled corporation enumerated herein, the bidder who offers to pay in bonds of the Land Bank shall be preferred provided that the various bids be equal in every respect except in the medium of payment.

“(3) Surety, bail bonds for the provisional release of accused persons or performance bonds in all cases where the government may require or accept real property as bonds;

“(4) Payment for reparations goods, the provisions of Republic Act Numbered Seventeen hundred and eight-nine, as amended, to the contrary notwithstanding;

“(5) Security for loans applied with the Philippine National Bank, Development Bank of the Philippines, Government Service

Insurance System, Social Security System, and other government financial institution, existing charters of these institutions to the contrary notwithstanding; and

“(6) Legal reserves against deposit liabilities of banks, subject to the terms and conditions which the Central Bank of the Philippines may impose pursuant to the General Banking Act.”

SEC. 22. Section 101 of the same Code is hereby amended to read as follows:

“SEC. 101. *Reorganization of ACA to align its activities.*—The administrative machinery of the Agricultural Credit Administration, shall be reorganized to enable it to align its activities with the requirements and objectives of this Code: *Provided*, That the Board of Governors established by Republic Act Numbered Eight hundred and twenty-one, as amended, shall be composed of a chairman and four (4) members, three (3) of whom shall be the Undersecretary of Agrarian Reform who shall be the Chairman *ex-officio*, the Administrator of the Agricultural Credit Administration who shall be the Vice-Chairman *ex-officio* and the Vice-President in charge of agricultural loans of the Philippine National Bank, who shall be *ex-officio* member thereof. The two other members shall be appointed by the President of the Philippines with the consent of the Commission on Appointments for a term of three years, one of whom shall represent the farmers-beneficiary of the Agrarian Reform Program and shall be appointed upon recommendation of either or both the farmers and/or cooperatives movement, federation or league existing at the time such recommendation is submitted, and the other to represent the political party receiving the second highest number of votes in the immediately preceding presidential elections: *Provided, however*, That the term of the farmers’ representative shall *ipso facto* terminate when such member cease to be in the farmers and/or cooperatives movement, federation or league, and that of the minority party at the pleasure of the nominating political party.

“The Administrator shall be the Chief Executive of the Administration and shall serve for a term of six years unless

he resigns or is removed for cause. The compensation of the Administrator shall be fixed by the President but shall not be less than twenty-four thousand pesos per annum. The members of the Board shall receive *per diems* of not more than fifty pesos for each session of the Board that they attend: *Provided, however*, That the total *per diems*, including all other remunerations, shall not exceed six hundred pesos a month.

“No person shall be appointed as Administrator unless he is a natural-born citizen of the Philippines, with proven executive ability and experience in the field of agricultural cooperatives and/or banking and finance, adequate background and experience in land reform here and/or elsewhere for at least five (5) years, and at least thirty-five years of age: *Provided, however*, That he shall have, among other qualifications, demonstrated interest in, and concern for, the needs and problems of the rural population and/or peasantry and the solutions thereto: *Provided, further*, That no person who owns any farmholding shall be appointed as Administrator unless such farmholding is under the leasehold system or the system of agricultural land ownership-transfer direct to the tiller.”

SEC. 23. Sections 105 and 106 of the same Code are hereby amended to read as follows:

“SEC. 105. *Loaning Activities*.—Loaning activities of the Agricultural Credit Administration shall be directed to stimulate the development and operation of farmers’ cooperatives. The term “Farmers Cooperatives” shall be taken to include all cooperatives relating to the production and marketing of agricultural products and these formed to manage and/or own, on a cooperative basis, agricultural farmlands, services and facilities, such as irrigation and transport systems, established to support production and/or marketing of agricultural products.

“Under such rules and regulations in accordance with generally accepted banking practices and procedures as may be promulgated by the Agricultural Credit Administration, Rural Banks, Cooperative Banks, and Development Banks may, in their

respective localities, be designated to act as agents of the Agricultural Credit Administration in regard to its loaning activities.”

“SEC. 106. *Credit to Small Farmers and/or tillers of the land.*—Production loans and loans for the purchase of work animals, tillage equipment, seeds, fertilizers, poultry, livestock, feed and other similar items, may be extended to small farmers as defined in Republic Act Numbered Eight hundred twenty-one and/or tillers of the land, based upon their paying capacity and such securities as they can provide, and under such terms and conditions as the Agricultural Credit Administration may impose, provided the amount thereof does not exceed two thousand pesos, or such amount as may be fixed by the President at any given agricultural year: *Provided*, That his total outstanding obligations shall not exceed five thousand pesos, but in no case shall the amount of loan exceed eighty *per centum* of the value of the collateral pledged. In instances where credit is extended for items which are not consumed in their use, such items may be pledged as security therefor. The Agricultural Credit Administration shall promulgate such rules and regulations as may be necessary in the extension of the loans herein authorized so as to assure their repayment: *Provided*, That such rules and regulations shall follow and be in accordance with generally accepted financing practices and procedures.”

SEC. 24. Section 108 of the same Code is hereby amended to read as follows:

“SEC. 108. *Loans to Cooperatives.*—The Agricultural Credit Administration is hereby authorized to extend such types of loans as it may deem necessary for the effective implementation of this Code to eligible farmers’ cooperatives as herein defined, under such terms and conditions as it may impose and with such securities as it may require: *Provided*, That the said Administration is hereby authorized to extend production loans to cooperatives at not more than eight per cent interest per calendar year and directly to the farmers at not more than twelve percent per calendar year: *Provided, further*, That cooperatives are hereby authorized to extend loans directly to their members at not more than twelve per cent per

calendar year. A farmers' cooperative that has been registered with the Agricultural Credit Administration shall be eligible for loans if, in the judgment of the latter, its organization, management and business policies are of such, character as will insure the safety and effective use of such loans."

SEC. 25. Section 110 of the same Code is hereby amended to read as follows:

"SEC. 110. *Total charges on Loans.*—The total charges including interest, insurance fees and inspection, notarization and other service charges on all kinds of loans shall not be more than twelve *per centum* per calendar year: *Provided*, That if an impairment of the capitalization of the Agricultural Credit Administration is imminent by reason of the limitation of the interest herein provided, there is automatically appropriated out of the unappropriated funds in the National Treasury such amounts as is necessary to cover the losses of the Agricultural Credit Administration, but not exceeding six million pesos for any one year."

SEC. 26. Section 112 of the same Code is hereby amended to read as follows:

"SEC. 112. *Registration of and guidance to Cooperatives, Associations and Organizations.*—The Agricultural Credit Administration shall have the power to register, finance and supervise all agricultural cooperatives, including multi-purpose cooperatives, and farm associations or organizations; and provide credit guidance or assistance to all agricultural, irrigation, and other cooperative associations, multi-purpose cooperatives, farm organizations or fund corporations: *Provided*, That all cooperatives, associations or organizations registered under this Section shall have juridical personality."

SEC. 27. Section 124 of the same Code is hereby amended to read as follows:

“SEC. 124. *Function of Extension Workers.*—In addition to their functions under Republic Act Numbered six hundred eighty, it shall be the duty of extension workers:

“(1) To reside in the locality where they are assigned, to disseminate technical information to farm families, and to demonstrate improved farm and home management practices and techniques;

“(2) To work with individual farmers in farm planning and budgeting, guide them in the proper conduct of farm business and work out schedules of re-payment of loans obtained by farmers;

“(3) To assist farmers in securing the services or assistance of other agencies, or their personnel, having to do with relevant activities and problems of farmers;

“(4) To visit newly-established independent farm operators either singly or collectively at least once a month;

“(5) To promote and stimulate the growth and development of the youth towards improved farm and home management practices and techniques, as well as the development of their skills for small-scale industries and the like;

“(6) To encourage the formation and growth of private associations, study clubs, committees and other organized groups of farmers, familiarize them with modern methods of farming and interest them to actively participate, collaborate or take the initiative in agricultural research, experimentation and implementation of projects in cooperation with the Agricultural Productivity Commission and other agencies; and

“(7) To promote, stimulate and assist in the organization of farmers’ cooperatives, including multi-purpose cooperatives.”

SEC. 28. Sections One hundred twenty-six and One hundred twenty-seven of the same Code are hereby repealed.

SEC. 29. A new section is hereby inserted after Sec. 128, to be designated herein as "Section 128-A," which shall read as follows:

"SEC. 128-A. *Participation of Local Governments.*—The Department of Agrarian Reform shall, in every way possible to insure the successful implementation of the Agrarian Reform Program, involve local governments and secure their participation in the various aspects of the program, such as the leasehold system, the acquisition and distribution of private and public agricultural lands, the development of cooperatives and small-scale industries and the like, and the other corollary operational activities that should be carried out through barrio, municipal, provincial and city governments.

"In pursuing this approach, however, the Department shall formulate the policies and programs necessary in the implementation of this Code.

"The Department shall also render technical assistance to local governments necessary to carry out the objective of agrarian reforms."

SEC. 30. Section 155 of the same Code is hereby amended to read as follows:

"SEC. 155. *Powers of the Court; Rules of Procedure.*—The Courts of Agrarian Relations shall have all the powers and prerogatives inherent in or belonging to the Court of First Instance.

"The Courts of Agrarian Relations shall be governed by the Rules of Court: *Provided*, That in the hearing, investigation and determination of any question or controversy pending before them, the Courts without impairing substantial rights, shall not be bound strictly by the technical rules of evidence and procedure, except in expropriation cases: *Provided, further*, That in case the persons referred to under Section one hundred sixty-three hereof, are not represented by a lawyer of their own choice, the duly authorized leaders of duly registered farmers organizations may enter

their appearances as counsel for their respective member and/or organization before the Court of Agrarian Relations, if the Court is fully convinced that the said leader could competently protect the interest of his client subject to the basic duties and obligations as officers of the Court.

“The Court of Agrarian Relations is hereby authorized to conduct compulsory arbitration between agricultural labor and agricultural management, agricultural share tenants and agricultural landlords, and agricultural lessees and agricultural lessors in conflicts arising out of, and in connection with, their agrarian relations upon certification by the Secretary of Justice.

“The rights and duties of the parties to the proceedings, the functions and responsibilities of the Court, and the binding effect of awards, orders and processes of the Court shall be covered by Section six to twenty-four of Commonwealth Act Numbered One hundred three.

“Where the litigant is an agricultural tenant, tiller or lessee, he shall be entitled to the rights of a pauper litigant under the rules of Court and the privileges of an indigent litigant under Republic Act Numbered Sixty hundred and thirty-five, without further proof thereof.”

SEC. 31. Section 163 of the same Code, as amended by Republic Act No. 4886, is further amended to read as follows:

“SEC. 163. *Functions of the Office of the Agrarian Counsel.*—It shall be the responsibility of the Office of the Agrarian Counsel upon proper notification by the party concerned or by the association or organization to which he belongs, to represent tenants, agricultural lessees, agricultural farm workers and agricultural owner-cultivators or the members of their immediate farm household referred to in this Code who cannot engage the services of competent private counsel in cases before the Court of Agrarian Relations. This responsibility shall include representation before courts, including appellate, in cases civil or criminal, instituted by or against said

tenant, agricultural lessees, farm workers or owners-cultivator or the members of their immediate farm household, where the cases arise from or are connected with, or results or effects of an agrarian dispute. The decision of the Office of the Agrarian Counsel to provide legal assistance shall be final.”

SEC. 32. Section 164 of the same Code is hereby amended to read as follows:

“SEC. 164. *Authority to Administer Oath and Acknowledgment.*— The Agrarian Counsel, the Deputy Agrarian Counsel and the Special Attorneys of the Office of the Agrarian Counsel are hereby authorized to administer oaths and acknowledgment free of charge.”

SEC. 33. Section 167 of the same Code is hereby amended by adding after paragraph (5) thereof, the following two paragraphs which shall read as follows:

“(6) Any collusion between an agricultural lessee and an agricultural lessor and between a vendor and a vendee on installment sales to simulate agricultural contracts, agricultural loans, or any application for benefits under the Agrarian Reform Program shall be punishable by imprisonment of not more than five years and a fine not exceeding five thousand pesos.

“The period for filing the corresponding criminal action for any criminal violation falling under the foregoing provisions of this section shall cease to run, whenever a case is filed before the Court of Agrarian Relations for the determination of a prejudicial question in relation to the criminal action, until said determination has become final.”

SEC. 34. To carry out the objectives of this Amendatory Act, and notwithstanding any provisions of existing laws, rules and regulations to the contrary, all lending institutions, whether public or private, shall set aside at least twenty-five per cent of their loanable funds and make it available for agricultural credit to agricultural lessees, owners-cultivator, amortizing owners, and cooperatives,

including multi-purpose cooperatives and farm associations and organizations owned and operated by those who live and work on the land as tillers and registered with the Agricultural Credit Administration.

SEC. 35. Notwithstanding any provision of existing laws, rules and regulations to the contrary, the Department of Agrarian Reform is hereby authorized to segregate any area of three thousand hectares out of any of its reservations as demonstration farm or pilot project for the resettlement program of the Department on the *moshave*-type of communal agriculture.

SEC. 36. The personnel of the agencies, offices and/or units abolished, merged, renamed and/or reorganized under this Amendatory Act shall have the same rights and privileges afforded to the personnel of abolished or reorganized agencies under the Agricultural Land Reform Code and in pursuance of Section One hundred sixty-nine thereof.

To carry out the provisions of this Section, there is hereby appropriated the sum of One million pesos out of the unappropriated funds in the National Treasury: *Provided*, That ten percent of this appropriation or so much thereof as may be necessary is hereby set aside for the expenses of the organizing staff created under Section 15 hereof.

SEC. 37. Any reference to the Land Reform Project Administration, the National Land Reform Council and the Land Authority in the Agricultural Reform Code or under any other existing laws shall be understood to refer to the Department of Agrarian Reform.

SEC. 38. If, for any reason, any section or provisions of this Amendatory Act shall be held unconstitutional or invalid, no other section or provision of the same shall be affected thereby.

All laws or parts of any law inconsistent with the provisions of this Amendatory Act are hereby repealed and/or modified accordingly.

SEC. 39. This Act shall take effect, upon its approval.

Approved,

(Sgd.) GIL J. PUYAT
President of the Senate

(Sgd.) CORNELIO T. VILLAREAL
Speaker of the House of
Representatives

This Act, which is a consolidation of S. No. 478 and H. No. 3453, was finally passed by the Senate and the House of Representatives on September 4, 1971, respectively.

(Sgd.) ELISEO M. TENZA
Secretary of the Senate

(Sgd.) INOCENCIO B. PAREJA
Secretary of the House of
Representatives

Approved: SEP 10, 1971

(Sgd.) FERDINAND E. MARCOS
President of the Philippines

H. No 3463
S. No. 633

REPUBLIC ACT NO. 6390

AN ACT TO ACCELERATE THE IMPLEMENTATION OF THE AGRARIAN REFORM PROGRAM BY CREATING AN AGRARIAN REFORM SPECIAL ACCOUNT IN THE GENERAL FUND, PROVIDING THE NECESSARY FUNDS THEREFOR, AND FOR OTHER PURPOSES

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

SECTION 1. *Purpose.* - It is hereby declared to be the purpose of this Act to accelerate the attainment of the objectives set forth in Republic Act Numbered Three thousand eight hundred and forty-four, otherwise known as the Agricultural Land Reform Code, as amended, by providing an immediate source of funds to finance the Agrarian Reform Program of the government, transferring certain assets of the National Government to augment the capital base of the Land Bank, involving the active participation of rural banks in a program of supervised credit by creating an Agricultural Guarantee Fund, providing counterpart funds for existing and new rural banks and prescribing certain requirements and conditions to stimulate the continuous establishment of cooperatives among those who actually till and work upon the land.

SEC. 2. *Creation of Agrarian Reform Special Account in the General Fund.* - To carry out the purpose of this Act, there is hereby created in the General Fund an Agrarian Reform Special Account, hereinafter referred to as the Account, which shall be used exclusively to finance the Agrarian Reform Program of the government.

SEC. 3. *Financial Source of the Account.* - The Account shall be constituted out of a portion of the proceeds of the stabilization tax

collected under Republic Act Numbered Six thousand one hundred twenty-five, as amended in Section four of this Act.

SEC. 4. Section four of Republic Act Numbered Sixty-one hundred and twenty-five is hereby amended to read as follows:

“SEC. 4. The sum of fifty million pesos shall be taken annually out of the proceeds of the levy under this Act which shall accrue to and form part of the Agrarian Reform Special Account in the General Fund: *Provided, however,* That the balance of such proceeds shall be used as follows:

“(a) Fifty *per centum* of the balance of the said collection shall be deposited with the Central Bank in a Special Account which shall be used exclusively for (1) servicing domestic and foreign debts of the National Government, (2) retiring the existing debts of the National Government held by the Central Bank which includes treasury notes, government bills or certificates, securities and bonds, and (3) amortizing the existing budgetary deficit under the general fund: *Provided, however,* That no portion of this amount shall be applied to the payment of the subsequent overdraft of the National Government;

“(b) Twenty-five *per centum* of the same balance of the collection shall be deposited with the Central Bank in a Special Account which shall provide for (1) the counterpart requirements of projects financed by the Asian Development Bank, the International Bank of Reconstruction and Development and other United Nations agencies, and other projects financed by loans under bilateral agreements; and (2) the counterpart funds of the government in the setting up of rural banks and for expanding the capital base of established existing rural banks: *Provided,* That the amount of ten million pesos annually shall be set aside to augment the government counterpart fund for the establishment of new rural banks and five million pesos to expand the capital base of established rural banks existing as of the date of effectivity of this Act: *Provided, further,* That the Central Bank may, when necessary, authorize the

establishment of more than one rural bank in any municipality or city; and

“(c) Twenty-four per centum of the same balance of the collection shall be deposited with the Development Bank of the Philippines in a Special Account for the purpose of granting loans to export industries and agricultural development projects in the private sector, which are directly affected by the levy, including financing of industries adversely affected by Central Bank Circular 289: *Provided, however,* That priority shall be given to loans for the production and processing of indigenous raw materials for export: *Provided, further,* That not more than fifty *per centum* of the proceeds accruing to this Special Account may be utilized as advances for foreign loans directly incurred or guaranteed by the Development Bank of the Philippines in favor of borrowers paying the stabilization tax. The Development Bank of the Philippines shall submit a quarterly report on the status and details of the loan stating among others the name and address of the borrower and the amount of the loan to the joint committee created under this Act and the Committee on Banks of Both Houses of Congress upon request, the provisions of the Charter of the Development Bank of the Philippines or any law to the contrary notwithstanding;

“(d) One *per centum* of the same balance, but not to exceed three million pesos annually, shall accrue to the Board of Investments to be expended in accordance with Section eleven of Republic Act Numbered Sixty-one hundred and thirty-five: *Provided,* That thirty *per centum* of the amount shall accrue to and be remitted directly by the Central Bank to the Joint Congressional Special Account Committee created in Section nineteen hereof. The balance, if any, shall accrue to and form part of the Special Account created under paragraph (c) hereof.”

SEC. 5. *Turnover of Funds Accruing to the Account; Release of Allotments and of Funds, Ministerial.* - The Central Bank of the Philippines shall turn over and deliver the amount accruing to the Account under Section four of this Act to the Treasurer of the Philippines within ten days of every succeeding month. It shall

likewise turn over the amount accruing to the Committee created in Section nineteen of this Act within the same period.

The Treasurer of the Philippines shall credit the collections to the Account which shall not be debited except for withdrawals pursuant to appropriations made by law.

It shall be the ministerial duty of the Budget Commissioner to release simultaneously and proportionately the quarterly allotments from the appropriations of the agencies concerned at least ten days before each quarter as requested by their respective heads. It shall, likewise, be the ministerial duty of the National Treasurer to honor all treasury warrants drawn by the said agencies against the said allotments provided that the Account has sufficient balance to cover the same.

SEC. 6. *Appropriations.* - The funds accruing to the Account for the fiscal year ending June 30, 1972, are hereby appropriated as follows:

(a)	For additional lending operations of the Agricultural Credit Administration	P 20,000,000
	(b For capital contribution of the government to the Land Bank	P 20,000,000
(c)	For land development and resettlement, survey and subdivision and the issuance of titles by agrarian reform agencies	10,000,000
	Total	P 50,000,000

SEC. 7. *Allocation of Proceeds.* - The funds accruing annually to the Account after June 30, 1972 shall be allocated as follows:

(a)	For additional contribution to the Agricultural Guarantee Fund created under Section twelve hereof	P 20,000,000
(b)	For capital contribution of the government to the Land Bank	10,000,000

(c)	For lending activities of the Agricultural Credit Administration	10,000,000
(d)	For land development and resettlement, survey and subdivision and the issuance of titles by agrarian reform agencies	10,000,000
Total		P 50,000,000

SEC. 8. *Conditions for Expenditures of Funds of the Account.* - The amounts provided in Sections six and seven shall be in addition to existing appropriations in the annual Appropriations Act and shall be included in the respective budgets of the agencies concerned. They shall be spent solely for agrarian reform. No portion of the proceeds accruing to the Account shall be spent for administrative expenses, including salaries and wages.

The credit balance, if any, of the Account at the end of each fiscal year shall be available for appropriation only for activities of any of the government agencies implementing the agrarian reform program.

In the expenditure of these funds, the agencies concerned shall be guided by the requirements and conditions set forth in this Act.

The agencies receiving these funds shall render a detailed separate accounting of amounts received and the dispositions thereof each fiscal year to the Joint Committee created under this Act within thirty days after the opening of each regular session of Congress.

The Account or any part thereof shall not be subject to any provision of any appropriation Act or any other law which grants the President of the Philippines authority to transfer funds from one branch, department, office or agency of the government to another, or from one item to another, or to suspend the appropriation of any item or utilize the savings thereof to cover the deficits in or augment the appropriations of any other item.

SEC. 9. *Transfer of Certain Assets of the National Government.*

- The remaining undisposed properties listed in Schedule "A" of Republic Act Numbered Fifty-one hundred and sixty-nine are hereby transferred to the Land Bank which shall take steps to have them titled in the name of the Land Bank in accordance with existing laws. The provisions of Section four of Republic Act Numbered Fifty-one hundred and sixty-nine to the contrary notwithstanding, the assets so transferred shall be credited as payment of the government capital subscription to the Land Bank, based on the appraised market value of those properties determined in accordance with Section three of the same Act.

The shares of stocks of the National Government in the Lepanto Consolidated Mining Company, Inc., now being administered by the Board of Liquidators, are hereby transferred to the Agricultural Guarantee Fund created under Section twelve of this Act.

SEC. 10. *Turnover of Assets to the Land Bank.* - It shall be the ministerial duty of the Bureau of Lands, and the Bureau of Buildings and Real Property Management to turn over to the Land Bank within six months after the approval of this Act, the undisposed valuable properties of the National Government listed in Schedule "A" of Republic Act Numbered Fifty-one hundred and sixty-nine.

SEC. 11. *Disposition of Assets.* - The Land Bank shall, under the rules and regulations it shall promulgate, transfer, lease or otherwise dispose of the transferred real properties. In order to achieve the maximum utilization of these assets in the accomplishment of its objectives, the Land Bank may classify, develop, and subdivide the transferred real properties, dispose of them for cash or Land Bank bonds, or enter into joint ventures: *Provided*, That priority shall be given to the Government Service Insurance System, the Social Security System, and any other financially capable government corporations in the disposition of these properties. Valuations of government lands under bidding shall be subject to General Auditing Office rules and regulations.

Within thirty days from the date of the opening of the regular session of Congress, the Land Bank shall submit an annual report to all the Members of Congress, through the Presiding Officer of both Houses, on the disposition of the assets herein acquired. All records in connection with such disposition shall be opened to scrutiny upon request of the Joint Committee, the provision of any law, executive order, rule or regulation to the contrary notwithstanding.

SEC. 12. *Creation of Agricultural Guarantee Fund.* - There is hereby created an Agricultural Guarantee Fund to be administered by the Agricultural Guarantee Fund Board established under Section thirteen of this Act. The Fund shall guarantee seventy *per centum* of the losses for production to be extended by the rural banks, with the remaining thirty *per centum* of such losses to be absorbed by the rural banking system. All amounts appropriated for the Agricultural Guarantee Fund must be kept intact and invested in safe and high-yielding securities and only the earnings thereof shall be used to absorb the guaranteed seventy *per centum* of the losses: *Provided, however,* That investments of the funds shall be such that there shall be a well-balanced portfolio between government and private securities. The shares of stocks of the National Government in the Lepanto Consolidated Mining Company, Inc., transferred in Section nine hereof shall not be sold, and only the earnings hereof shall be used to absorb guaranteed losses. All expenses for the administration and operation of this Fund shall be for the account of the Central Bank.

SEC. 13. *Creation of Agricultural Guarantee Fund Board.* - To administer the Agricultural Guarantee Fund, the President is hereby authorized to create within sixty days after the approval of this Act, an Agricultural Guarantee Fund Board to be composed of five members, namely: the Secretary of Finance as *ex-officio* chairman, the Secretary of Agriculture and Natural Resources, the Secretary of Agrarian Reforms, the Governor of the Central Bank, and the President of the Rural Bankers' Association, as members. In the event that the Chairman or any member of the Board cannot attend any meeting thereof, he shall designate the next ranking official of the office or agency concerned to represent him in the

deliberations of the board. The President of the Rural Bankers' Association shall receive a *per diem* not exceeding fifty pesos for each day of meeting actually attended by him, but in no case shall his *per diem* exceed five hundred pesos a month.

SEC. 14. *Powers and Duties of the Agricultural Guarantee Fund Board.* - The Agricultural Guarantee Fund Board shall lay down the policies governing the Agricultural Guarantee Fund and promulgate such rules and regulations as may be necessary to insure the effective and efficient implementation of such policies. The Board shall take steps to integrate the existing Agricultural Guarantee Loan Fund and shall submit proposed legislation to this effect, if necessary. Within thirty days from the opening of every session of Congress, it shall submit to the Joint Committee created under this Act an annual report on the status of the Fund, showing among others, the total amount of the Fund, the details of investment and returns on these investments, and amounts actually spent to pay off the guaranteed losses or uncollectible debts.

SEC. 15. *Requirements for Rural Bank Loans.* - In order to avail of the guarantee provided in this Act, rural banks shall extend loans under the following conditions:

(a) Farmer must agree in writing that he will apply approved farm practices under a supervised credit program and abide by the approved farm plan and budget prepared by the farmer with the assistance of an agricultural extension worker;

(b) The farm plan and budget shall be the basis of the loan which shall depend on the size of the farm and the crop planted or to be planted;

(c) Farmer-borrower shall not be tilling more than six hectares;

(d) Priority must be given to: (1) cooperatives, (2) a farmer with a leasehold contract, and (3) a farmer who is a member of a cooperative or a "selda" or group and who is a beneficiary of agrarian reform;

(e) Loans shall be granted with any or a combination of the following collaterals, namely: (1) real estate property, if available; (2) chattel mortgage on standing crops and/or existing livestock or poultry; (3) stored crops in bonded warehouses; (4) two co-makers acceptable to the bank: *Provided*, That in case a farmer is a member of a group or “selda”, the cooperative or “selda” may act as a co-maker: *Provided, further*, That in the case of multi-purpose cooperatives, no co-maker shall be required.

SEC. 16. *Privileges and Limitations of Rural Banks.* - No loan extended under the preceding section shall be in excess of five thousand pesos at any one time and at interest not exceeding twelve percent *per annum*, including service fees and other charges: *Provided*, That the maturity of the loan shall not be earlier than two months after harvest to provide sufficient time for marketing.

If a rural bank does not avail of the guarantee provided for in this Act, it shall, nevertheless, extend loans under the same terms and conditions set forth in the next preceding section to the beneficiaries of agrarian reform, to the extent of at least the government contribution to its capital stock.

All existing agricultural loan papers of the rural banking system as of the date of effectivity of this Act and all those arising out of this program shall be discounted by the Central Bank at a preferential rate and at a percentage of the face value thereof to be determined by the Central Bank: *Provided, however*, That all the proceeds thereof shall be channelled only to the beneficiaries of agrarian reform.

SEC. 17. *Requirements for ACA Loans.* - The loans shall be extended by the Agricultural Credit Administration under the same terms and conditions set forth in Section fifteen of this Act: *Provided, however*, That priority shall be given to areas where there are no rural banks, or where the rural banks therein do not avail of the guarantee provided in this Act.

SEC. 18. *Temporary Utilization of the Services of Government Agricultural Extension Workers to Implement the Supervised Credit Program.* - Such number of agricultural extension workers of the government, national and local, as may be necessary, shall, immediately upon the effectivity of this Act but not longer than three years after such effectivity, and under rules and regulations to be promulgated by the Secretary of the Department of Agrarian Reforms in consultation with the head of the department or office of the National Government or the chief executive of the local government concerned, certify the necessary farm plans and budgets, supervise the application of the proceeds of the loans granted under this Act, and render such other service as may be required under this Act to enable the rural banking system and the Agricultural Credit Administration to implement effectivity the supervised credit program provided herein.

SEC. 19. *Joint Congressional Special Account Committee.* - There is hereby created a joint congressional committee to be known as the Joint Congressional Special Account Committee to be composed of the Chairman, the next ranking member and ranking minority member of both the Senate and House Committees on Ways and Means. It shall be the duty of the said committee to look into the status of the stabilization tax and its disposition, particularly the operations and effects of the Account, the utilization of the funds of the Account by the Land Bank, Agricultural Credit Administration, Central Bank, Agricultural Guarantee Fund Board and the other land reform agencies charged with the implementation of this Act, and to report, from time to time in its discretion, to the Senate and House of Representatives, through their respective Presiding Officers, its findings, together with such recommendations on necessary remedial legislation as it may deem advisable.

The Joint Committee shall elect a Chairman and Vice-Chairman from among its members. It shall be assisted by a technical staff the members of which may be named/appointed by the Chairman from the personnel of the Ways and Means technical staffs of both Houses of Congress, and it may avail by detail of the services of the personnel from other offices of the Government as

he deems advisable. The provisions of existing laws to the contrary notwithstanding, and subject to the availability of funds, the Joint Committee may pay reasonable *honorarium* to such employees and officials as may be asked to work with the staff as well as commutable transportation and representation allowances to its members and its staff and consultants.

The Joint Committee may call upon any official or employee of the different government agencies involved in the implementation of this Act, to render such reports, services or assistance and to supply such studies, statistics, information, reports, and data as may be necessary to enable said Committee to perform its functions under this Act. Provisions of any law to the contrary notwithstanding, no such officer or employee may refuse to divulge the information requested or required by the Joint Committee.

Section 20. *Rules and Regulations.* - Within thirty days after the approval of this Act, the Governor of the Central Bank, the Secretary of Finance, upon recommendation of the National Treasurer; the Secretary, Department of Agrarian Reform, upon recommendation of the Agricultural Credit Administration and the Chairman of the Land Bank; and the Secretary of Agriculture and Natural Resources shall each promulgate such rules and regulations pertaining to their respective jurisdiction for the effective enforcement and implementation of the provisions of this Act and shall cause the same to be published once within fifteen days from promulgation, in any newspaper of general circulation in the Philippines and in the *Official Gazette*. Such rules and regulations shall take effect fifteen days after the publication in the *Official Gazette*.

SEC. 21. *Penal Provisions.* - Any person who fails to pay or refuses to turn over the collections of the taxes including surcharges and penalties, if any, and the properties and assets, mentioned in this Act within the period fixed in Sections four, nine and ten hereof, or who delays, obstructs, or prevents the same or who fails or refuses to effect the release from the Account within the period fixed in Section five hereof, or who delays, obstructs, or prevents

the same, or who orders, causes, or effects the transfer or diversion of the collections or proceeds of this Account, or any portion thereof, or otherwise unreasonably delays, prevents, or obstructs the implementation of the objectives of this Act, shall be punished with a fine not exceeding ten thousand pesos or imprisonment not exceeding six years or both in the discretion of the Court.

If the offender is a government official or employee, he shall, in addition, be dismissed from the service with prejudice to reinstatement and with disqualification for election or appointment to any public office.

Any official who orders, causes, or effects the transfer or diversion of this Account or any portion thereof, or otherwise unreasonably delays, prevents or obstructs the implementation of the objectives of this Act, or who violates or neglects to comply with any circular, order or process issued relative to the implementation of this Act, shall, likewise, be liable to the penalties hereinabove imposed.

Any collusion in the extension of credit under this Act between the farmer-borrower on the one hand, and the rural bank on the other, prejudicial to the Agricultural Guarantee Fund, shall, after conviction, be punished by imprisonment of not less than ten years, and a fine of not less than ten thousand pesos: *Provided*, That in the case of a rural bank, the member of the Board of Directors or Trustees or executive officials thereof found responsible shall be held liable.

A collusion exists whenever the farmer-borrower and the rural bank official or officials enter into an agreement for a fraudulent purpose or whenever said parties conspire secretly to defraud the government.

SEC. 22. *Separability Clause.* - The provisions of this Act are hereby declared to be separable and, if any clause, sentence, provision or section of this Act or application thereof to any person or circumstances should for any reason be held invalid and

unconstitutional, such invalidity or unconstitutionality shall not affect other provisions or application of this Act which can be given force and effect without the invalid or unconstitutional provisions or application of this Act.

SEC. 23. *Repealing Clause.* - All acts, executive orders, rules and regulations, or parts thereof, which are inconsistent with the provisions of this Act are hereby repealed, amended or modified accordingly.

SEC. 24. *Effectivity.* - This Act shall take effect upon its approval.

Approved: September 10, 1971

H. No 5496
S. No 944

REPUBLIC ACT NO. 6538

AN ACT APPROPRIATING THREE HUNDRED MILLION PESOS FOR EXPENDITURES OCCASIONED BY THE TYPHOONS, RAINS AND FLOODS IN THE MONTHS OF JUNE AND JULY, NINETEEN HUNDRED SEVENTY-TWO, AND FOR OTHER PURPOSES

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

SECTION 1. There is hereby appropriated, out of any funds in the National Treasury not otherwise appropriated, the sum of three hundred million pesos to defray expenditures for repairs of public works damaged by and relief to indigent victims of, calamities which occurred in the Philippines in the months of June and July, 1972, for such items as food, medicines, shelter and clothing at not exceeding one hundred pesos per head of family and one hundred pesos for each dependent and assistance for the rehabilitation of small farms to be released and disbursed pursuant to the provisions of Sec. 7-1 (4) of Commonwealth Act No. 246, as amended, except appropriations for the Department of Social Welfare and for other national offices and agencies intended for relief and rehabilitation, with priority being given to victims of said calamities in Central Luzon, Manila and environs, for the foregoing purposes by the following departments in the amount indicated:

(a) P120,000,000 for the Department of Public Works and Communications with priority to dams, dikes, bridges and riprapping: *Provided*, that thirty million pesos shall be for the repair of streets and drainage facilities in the Greater Manila Area comprising the City of Manila, Caloocan City, Quezon City, San Juan, Mandaluyong, Makati, and Pasay City: *Provided, further*, That not more than fifteen million pesos shall be allocated for the repair and reconstruction of projects in other municipalities or cities

which have suffered destruction, losses and damages due to said typhoons, rains and floods: *Provided, furthermore*, That the amount appropriated herein shall be released, spent and actually disbursed within a period not later than March 31, 1973, and no funds herein appropriated shall be expended beyond March 31, 1973, any unexpended balance after March 31, 1973 whether obligated or not shall automatically revert to the General Fund, except those for on-going projects started before March 31, 1973, disbursements for which may be authorized until but not beyond June 30, 1973;

(b) P50,000,000 for the Department of Agriculture and Natural Resources for the purchase of seedlings, fertilizers and other in-puts of production for the rehabilitation of farms damaged by floods, rains and typhoons: *Provided*, That P20,000,000 shall be set aside for seedlings and fertilizers and P30,000,000 for loans to farmers to be administered by the National Food and Agriculture Council ;

(c) P35,000,000 for the Department of Social Welfare;

(d) P40,000,000 for the Central Bank to be made available to the rural banks in the affected areas for loans and guarantees under such rules and regulations as the Central Bank may provide so as to channel the same to the greatest number of persons affected;

(e) P20,000,000 for the Department of Education to repair or replace books, school equipment, facilities and supplies, including school buildings, damaged or destroyed;

(f) P20,000,000 for the Department of Health; and

(g) P15,000,000 for the Presidential Assistant on Community Development, National Irrigation Administration, Agricultural Productivity Commission, Department of Agrarian Reform, NACIDA, and Philippine National Railways: *Provided*, That the amounts appropriated for relief and/or direct assistance under sub-items (c) Department of Social Welfare and (g) other national offices and agencies shall be released, spent and actually disbursed within a period not later than September 30, 1972.

SEC. 2. In the implementation of Section one, the following rules shall be observed:

(a) That the term “spent and actually disbursed” for the purposes of Section one refers to the movement of cash from the Government to the final recipient;

(b) That the relief extended with public funds or officially by government officials and personnel shall not bear any marking or identification attributing the same as coming from any public official or private individual;

(c) That not more than five *per centum* of the amount appropriated herein or the total released at any one time shall be utilized for the payment of personal services, and administrative and other operational expenses; and

(d) That the Government officials and personnel concerned shall extend relief as equitably and as fast as possible directly to the calamity victims based on their need and the resources available at a given time, without regard for political, religious, social or other consideration.

SEC. 3. The heads of the government offices and agencies implementing this Act shall submit a report within the first ten days of every month on funds released to their offices and agencies under this Act and within fifteen days from the end of every quarter another report on the progress or status of the work prosecuted by them thereunder during the preceding quarter, including therein all relevant data, to the Joint Senate-House of Representatives Committee, herein created to watch over the disbursement and use of the funds herein appropriated. The Joint Committee shall be composed of the Chairman of the Senate Committee on Finance, as Co-Chairman, the Chairman of the Committee on Appropriations of the House, as Co-Chairman, and two Members of each House, one of whom shall represent the Minority from each House, to be designated by the presiding officers of each House, respectively. The Joint Committee shall scrutinize the reports and take such

measures as it may deem appropriate to protect the public interest in relation to the disbursement and expenditures of the funds herein appropriated, including the taking of necessary measures for the prosecution of parties responsible for the violation of the provisions hereof: *Provided, however,* That any head, chief or employee of any office, bureau, or agency concerned in the implementation of this Act who may be found to have violated the provisions of this Act shall be criminally liable, subject to the provisions of the Penal Code but where the violation is not covered by the Penal Code, then the guilty party shall be subject to a penalty of a fine of one thousand pesos and imprisonment of not less than six (6) months or more than one (1) year without prejudice to administrative action.

SEC. 4. This Act shall take effect upon its approval.

Approved: August 8, 1972

8th Congress
S. No. 249
H. No. 400

REPUBLIC ACT NO. 6657

AN ACT INSTITUTING A COMPREHENSIVE AGRARIAN REFORM PROGRAM TO PROMOTE SOCIAL JUSTICE AND INDUSTRIALIZATION, PROVIDING THE MECHANISM FOR ITS IMPLEMENTATION, AND FOR OTHER PURPOSES

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

CHAPTER I

PRELIMINARY CHAPTER

SECTION 1. *Title.*—This Act shall be known as the Comprehensive Agrarian Reform Law of 1988.

SEC. 2. *Declaration of Principles and Policies.*—It is the policy of the State to pursue a Comprehensive Agrarian Reform Program (CARP). The welfare of the landless farmers and farmworkers will receive the highest consideration to promote social justice and to move the nation toward sound rural development and industrialization, and the establishment of owner cultivatorship of economic-size farms as the basis of Philippine agriculture.

To this end, a more equitable distribution and ownership of land, with due regard to the rights of landowners to just compensation and to the ecological needs of the nation, shall be undertaken to provide farmers and farmworkers with the opportunity to enhance their dignity and improve the quality of their lives through greater productivity of agricultural lands.

The agrarian reform program is founded on the right of farmers and regular farmworkers, who are landless, to own directly or collectively the lands they till or, in the case of other farmworkers,

to receive a just share of the fruits thereof. To this end, the State shall encourage and undertake the just distribution of all agricultural lands, subject to the priorities and retention limits set forth in this Act, taking into account ecological, developmental, and equity considerations, and subject to the payment of just compensation. The State shall respect the right of small landowners, and shall provide incentives for voluntary land-sharing.

The State shall recognize the right of farmers, farmworkers and landowners, as well as cooperatives and other independent farmers' organizations, to participate in the planning, organization, and management of the program, and shall provide support to agriculture through appropriate technology and research, and adequate financial, production, marketing and other support services.

The State shall apply the principles of agrarian reform, or stewardship, whenever applicable, in accordance with law, in the disposition or utilization of other natural resources, including lands of the public domain, under lease or concession, suitable to agriculture, subject to prior rights, homestead rights of small settlers and the rights of indigenous communities to their ancestral lands.

The State may resettle landless farmers and farmworkers in its own agricultural estates, which shall be distributed to them in the manner provided by law.

By means of appropriate incentives, the State shall encourage the formation and maintenance of economic-size family farms to be constituted by individual beneficiaries and small landowners.

The State shall protect the rights of subsistence fishermen, especially of local communities, to the preferential use of communal marine and fishing resources, both inland and offshore. It shall provide support to such fishermen through appropriate technology and research, adequate financial, production and marketing assistance and other services. The State shall also protect, develop

and conserve such resources. The protection shall extend to offshore fishing grounds of subsistence fishermen against foreign intrusion. Fishworkers shall receive a just share from their labor in the utilization of marine and fishing resources.

The State shall be guided by the principles that land has a social function and land ownership has a special responsibility. Owners of agricultural land have the obligation to cultivate directly or through labor administration the lands they own and thereby make the land productive.

The State shall provide incentives to landowners to invest the proceeds of the agrarian reform program to promote industrialization, employment and privatization of public sector enterprises. Financial instruments used as payment for lands shall contain features that shall enhance negotiability and acceptability in the marketplace.

The State may lease undeveloped lands of the public domain to qualified entities for the development of capital-intensive farms, and traditional and pioneering crops especially those for exports subject to the prior rights of the beneficiaries under this Act.

SEC. 3. *Definitions.*—For the purpose of this Act, unless the context indicates otherwise:

(a) Agrarian Reform means redistribution of lands, regardless of crops or fruits produced, to farmers and regular farmworkers who are landless, irrespective of tenurial arrangement, to include the totality of factors and support services designed to lift the economic status of the beneficiaries and all other arrangements alternative to the physical redistribution of lands, such as production or profit-sharing, labor administration, and the distribution of shares of stock, which will allow beneficiaries to receive a just share of the fruits of the lands they work.

(b) Agriculture, Agricultural Enterprise or Agricultural Activity means the cultivation of the soil, planting of crops, growing

of fruit trees, raising of livestock, poultry or fish, including the harvesting of such farm products, and other farm activities and practices performed by a farmer in conjunction with such farming operations done by persons whether natural or juridical.

(c) Agricultural Land refers to land devoted to agricultural activity as defined in this Act and not classified as mineral, forest, residential, commercial or industrial land.

(d) Agrarian Dispute refers to any controversy relating to tenurial arrangements, whether leasehold, tenancy, stewardship or otherwise, over lands devoted to agriculture, including disputes concerning farmworkers' associations or representation of persons in negotiating, fixing, maintaining, changing or seeking to arrange terms or conditions of such tenurial arrangements.

It includes any controversy relating to compensation of lands acquired under this Act and other terms and conditions of transfer of ownership from landowners to farmworkers, tenants and other agrarian reform beneficiaries, whether the disputants stand in the proximate relation of farm operator and beneficiary, landowner and tenant, or lessor and lessee.

(e) Idle or Abandoned Land refers to any agricultural land not cultivated, tilled or developed to produce any crop nor devoted to any specific economic purpose continuously for a period of three (3) years immediately prior to the receipt of notice of acquisition by the government as provided under this Act, but does not include land that has become permanently or regularly devoted to non-agricultural purposes. It does not include land which has become unproductive by reason of force majeure or any other fortuitous event, provided that prior to such event, such land was previously used for agricultural or other economic purpose.

(f) Farmer refers to a natural person whose primary livelihood is cultivation of land or the production of agricultural crops, either by himself, or primarily with the assistance of his immediate farm household, whether the land is owned by him, or by another person

under a leasehold or share tenancy agreement or arrangement with the owner thereof.

(g) Farmworker is a natural person who renders service for value as an employee or laborer in an agricultural enterprise or farm regardless of whether his compensation is paid on a daily, weekly, monthly or “pakyaw” basis. The term includes an individual whose work has ceased as a consequence of, or in connection with, a pending agrarian dispute and who has not obtained a substantially equivalent and regular farm employment.

(h) Regular Farmworker is a natural person who is employed on a permanent basis by an agricultural enterprise or farm.

(i) Seasonal Farmworker is a natural person who is employed on a recurrent, periodic or intermittent basis by an agricultural enterprise or farm, whether as a permanent or a non-permanent laborer, such as “dumaan”, “sacada”, and the like.

(j) Other Farmworker is a farmworker who does not fall under paragraphs (g), (h) and (i).

(k) Cooperatives shall refer to organizations composed primarily of small agricultural producers, farmers, farmworkers, or other agrarian reform beneficiaries who voluntarily organize themselves for the purpose of pooling land, human, technological, financial or other economic resources, and operated on the principle of one member, one vote. A juridical person may be a member of a cooperative, with the same rights and duties as a natural person.

CHAPTER II

COVERAGE

SEC. 4. *Scope.*—The Comprehensive Agrarian reform Law of 1988 shall cover, regardless of tenurial arrangement and commodity produced, all public and private agricultural lands as provided in

Proclamation No. 131 and Executive Order No. 229, including other lands of the public domain suitable for agriculture.

More specifically, the following lands are covered by the Comprehensive Agrarian Reform Program:

(a) All alienable and disposable lands of the public domain devoted to or suitable for agriculture. No reclassification of forest or mineral lands to agricultural lands shall be undertaken after the approval of this Act until Congress, taking into account ecological, developmental and equity considerations, shall have determined by law, the specific limits of the public domain.

(b) All lands of the public domain in excess of the specific limits as determined by Congress in the preceding paragraph;

(c) All other lands owned by the Government devoted to or suitable for agriculture; and

(d) All private lands devoted to or suitable for agriculture regardless of the agricultural products raised or that can be raised thereon.

SEC. 5. *Schedule of Implementation.*—The distribution of all lands covered by this Act shall be implemented immediately and completed within ten (10) years from the effectivity thereof.

SEC. 6. *Retention Limits.*—Except as otherwise provided in this Act, no person may own or retain, directly or indirectly, any public or private agricultural land, the size of which shall vary according to factors governing a viable family-size farm, such as commodity produced, terrain, infrastructure, and soil fertility as determined by the Presidential Agrarian Reform Council (PARC) created hereunder, but in no case shall retention by the landowner exceed five (5) hectares. Three (3) hectares may be awarded to each child of the landowner, subject to the following qualifications: (1) that he is at least fifteen (15) years of age; and (2) that he is actually tilling the land or directly managing the farm: *Provided, That*

landowners whose lands, have been covered by Presidential Decree No. 27 shall be allowed to keep the area originally retained by them thereunder: *Provided, further*, That original homestead grantees or their direct compulsory heirs who still own the original homestead at the time of the approval of this Act shall retain the same areas as long as they continue to cultivate said homestead.

The right to choose the area to be retained, which shall be compact or contiguous, shall pertain to the landowner: *Provided, however*, That in case the area selected for retention by the landowner is tenanted, the tenant shall have the option to choose whether to remain therein or be a beneficiary in the same or another agricultural land with similar or comparable features. In case the tenant chooses to remain in the retained area, he shall be considered a leaseholder and shall lose his right to be a beneficiary under this Act. In case the tenant chooses to be a beneficiary in another agricultural land, he loses his right as a leaseholder to the land retained by the landowner. The tenant must exercise this option within a period of one (1) year from the time the landowner manifests his choice of the area for retention.

In all cases, the security of tenure of the farmers or farmworkers on the land prior to the approval of this Act shall be respected.

Upon the effectivity of this Act, any sale, disposition, lease, management contract or transfer of possession of private lands executed by the original landowner in violation of this Act shall be null and void: *Provided, however*, That those executed prior to this Act shall be valid only when registered with the Register of Deeds within a period of three (3) months after the effectivity of this Act. Thereafter, all Registers of Deeds shall inform the Department of Agrarian Reform (DAR) within thirty (30) days of any transaction involving agricultural lands in excess of five (5) hectares.

SEC. 7. Priorities.—The Department of Agrarian Reform (DAR) in coordination with the Presidential Agrarian Reform Council (PARC) shall plan and program the acquisition and distribution of all agricultural lands through a period of ten (10)

years from the effectivity of this Act. Lands shall be acquired and distributed as follows:

Phase One: Rice and corn lands under Presidential Decree No. 27; all idle or abandoned lands; all private lands voluntarily offered by the owners for agrarian reform; all lands foreclosed by government financial institutions; all lands acquired by the Presidential Commission on Good Government (PCGG) ; and all other lands owned by the government devoted to or suitable for agriculture, which shall be acquired and distributed immediately upon the effectivity of this Act, with the implementation to be completed within a period of not more than four (4) years;

Phase Two: All alienable and disposable public agricultural lands; all arable public agricultural lands under agro-forest, pasture and agricultural leases already cultivated and planted to crops in accordance with Section 6, Article XIII of the Constitution; all public agricultural lands which are to be opened for new development and resettlement; and all private agricultural lands in excess of fifty (50) hectares, insofar as the excess hectareage is concerned, to implement principally the rights of farmers and regular farmworkers, who are landless, to own directly or collectively the lands they till, which shall be distributed immediately upon the effectivity of this Act, with the implementation to be completed within a period of not more than four (4) years.

Phase Three: All other private agricultural lands commencing with large landholdings and proceeding to medium and small landholdings under the following schedule:

(a) Landholdings above twenty-four (24) hectares up to fifty (50) hectares, to begin on the fourth (4th) year from the effectivity of this Act and to be completed within three (3) years; and

(b) Landholdings from the retention limit up to twenty-four (24) hectares, to begin on the sixth (6th) year from the effectivity of this Act and to be completed within four (4) years; to implement

principally the right of farmers and regular farmworkers who are landless, to own directly or collectively the lands they till.

The schedule of acquisition and redistribution of all agricultural lands covered by this program shall be made in accordance with the above order of priority, which shall be provided in the implementing rules to be prepared by the Presidential Agrarian Reform Council (PARC), taking into consideration the following: the need to distribute lands to the tillers at the earliest practicable time; the need to enhance agricultural productivity; and the availability of funds and resources to implement and support the program.

In any case, the PARC, upon recommendation by the Provincial Agrarian Reform Coordinating Committee (PARCCOM), may declare certain provinces or regions as priority land reform areas, in which case the acquisition and distribution of private agricultural lands therein may be implemented ahead of the above schedules.

In effecting the transfer within these guidelines, priority must be given to lands that are tenanted.

The PARC shall establish guidelines to implement the above priorities and distribution scheme, including the determination of who are qualified beneficiaries: *Provided*, That an owner-tiller may be a beneficiary of the land he does not own but is actually cultivating to the extent of the difference between the area of the land he owns and the award ceiling of three (3) hectares.

SEC. 8. *Multinational Corporations*.—All lands of the public domain leased, held or possessed by multinational corporations or associations, and other lands owned by the government or by government-owned or controlled corporations, associations, institutions, or entities, devoted to existing and operational agribusiness or agro-industrial enterprises, operated by multinational corporations and associations, shall be programmed for acquisition and distribution immediately upon the effectivity of this Act, with the implementation to be completed within three (3) years.

Lands covered by the paragraph immediately preceding, under lease, management, grower or service contracts, and the like, shall be disposed of as follows:

(a) Lease, management, grower or service contracts covering such lands covering an aggregate area in excess of 1,000 hectares, leased or held by foreign individuals in excess of 500 hectares are deemed amended to conform with the limits set forth in Section 3 of Article XII of the Constitution.

(b) Contracts covering areas not in excess of 1,000 hectares in the case of such corporations and associations, and 500 hectares, in the case of such individuals, shall be allowed to continue under their original terms and conditions but not beyond August 29, 1992, or their valid termination, whichever comes sooner, after which, such agreements shall continue only when confirmed by the appropriate government agency. Such contracts shall likewise continue even after the land has been transferred to beneficiaries or awardees thereof, which transfer shall be immediately commenced and implemented, and completed within the period of three (3) years mentioned in the first paragraph hereof.

(c) In no case will such leases and other agreements now being implemented extend beyond August 29, 1992, when all lands subject hereof shall have been distributed completely to qualified beneficiaries or awardees.

Such agreements can continue thereafter only under a new contract between the government or qualified beneficiaries or awardees, on the one hand, and said enterprises, on the other.

Lands leased, held or possessed by multinational corporations, owned by private individuals and private nongovernmental corporations, associations, institutions and entities, citizens of the Philippines, shall be subject to immediate compulsory acquisition and distribution upon the expiration of the applicable lease, management, grower or service contract in effect as of August 29, 1987, or otherwise, upon its valid termination, whichever comes

sooner, but not later than after ten (10) years following the effectivity of this Act. However, during the said period of effectivity, the government shall take steps to acquire these lands for immediate distribution thereafter.

In general, lands shall be distributed directly to the individual worker- beneficiaries. In case it is not economically feasible and sound to divide the land, then they shall form a workers' cooperative or association which will deal with the corporation or business association or any other proper party for the purpose of entering into a lease or growers agreement and for all other legitimate purposes. Until a new agreement is entered into by and between the workers' cooperative or association and the corporation or business association or any other proper party, any agreement existing at the time this Act takes effect between the former and the previous landowner shall be respected by both the workers' cooperative or association and the corporation, business association or such other proper party. In no case shall the implementation or application of this Act justify or result in the reduction of status or diminution of any benefits received or enjoyed by the worker-beneficiaries, or in which they may have a vested right, at the time this Act becomes effective.

The provisions of Section 32 of this Act, with regard to production and income-sharing shall apply to farms operated by multinational corporations.

During the transition period, the new owners shall be assisted in their efforts to learn modern technology in production. Enterprises which show a willingness and commitment and good-faith efforts to impart voluntarily such advanced technology will be given preferential treatment where feasible.

In no case shall a foreign corporation, association, entity or individual enjoy any rights or privileges better than those enjoyed by a domestic corporation, association, entity or individual.

SEC. 9. *Ancestral Lands*.—For purposes of this Act, ancestral lands of each indigenous cultural community shall include, but not be limited to, lands in the actual, continuous and open possession and occupation of the community and its members: *Provided*, That the Torrens System shall be respected.

The right of these communities to their ancestral lands shall be protected to ensure their economic, social and cultural well-being. In line with the principles of self-determination and autonomy, the systems of land ownership, land use, and the modes of settling land disputes of all these communities must be recognized and respected.

Any provision of law to the contrary notwithstanding, the PARC may suspend the implementation of this Act with respect to ancestral lands for the purpose of identifying and delineating such lands: *Provided*, That in the autonomous regions, the respective legislatures may enact their own laws on ancestral domain subject to the provisions of the Constitution and the principles enunciated in this Act and other national laws.

SEC. 10. *Exemptions and Exclusions*.—Lands actually, directly and exclusively used and found to be necessary for parks, wildlife, forest reserves, reforestation, fish sanctuaries and breeding grounds, watersheds and mangroves, national defense, school sites and campuses including experimental farm stations operated by public or private schools for educational purposes, seeds and seedlings research and pilot production centers, church sites and convents appurtenant thereto, mosque sites and Islamic centers appurtenant thereto, communal burial grounds and cemeteries, penal colonies and penal farms actually worked by the inmates, government and private research and quarantine centers and all lands with eighteen percent (18%) slope and over, except those already developed shall be exempt from the coverage of this Act.

SEC. 11. *Commercial Farming*.—Commercial farms, which are private agricultural lands devoted to commercial livestock, poultry and swine raising, and aquaculture including saltbeds, fishponds and prawn ponds, fruit farms, orchards, vegetable and

cut-flower farms, and cacao, coffee and rubber plantations, shall be subject to immediate compulsory acquisition and distribution after ten (10) years from the effectivity of this Act. In the case of new farms, the ten-year period shall begin from the first year of commercial production and operation, as determined by the DAR. During the ten-year period, the government shall initiate the steps necessary to acquire these lands, upon payment of just compensation for the land and the improvements thereon, preferably in favor of organized cooperatives or associations, which shall thereafter manage the said lands for the worker-beneficiaries.

If the DAR determines that the purposes for which this deferment is granted no longer exist, such areas shall automatically be subject to redistribution.

The provisions of Section 32 of this Act, with regard to production and income-sharing, shall apply to commercial farms.

CHAPTER III

IMPROVEMENT OF TENURIAL AND LABOR RELATIONS

SEC. 12. *Determination of Lease Rentals.*—In order to protect and improve the tenurial and economic status of the farmers in tenanted lands under the retention limit and lands not yet acquired under this Act, the DAR is mandated to determine and fix immediately the lease rentals thereof in accordance with Section 34 of Republic Act No. 3844, as amended: *Provided*, That the DAR shall immediately and periodically review and adjust the rental structure for different crops, including rice and corn, of different regions in order to improve progressively the conditions of the farmer, tenant or lessee.

SEC. 13. *Production-Sharing Plan.*—Any enterprise adopting the scheme provided for in Section 32 hereof or operating under a production venture, lease, management contract or other similar arrangement and any farm covered by Sections 8 and 11 hereof is hereby mandated to execute within ninety (90) days from the

effectivity of this Act, a production-sharing plan, under guidelines prescribed by the appropriate government agency.

Nothing herein shall be construed to sanction the diminution of any benefits such as salaries, bonuses, leaves and working conditions granted to the employee-beneficiaries under existing laws, agreements, and voluntary practice by the enterprise, nor shall the enterprise and its employee-beneficiaries be prevented from entering into any agreement with terms more favorable to the latter.

CHAPTER IV

REGISTRATION

SEC. 14. *Registration of Landowners.*—Within one hundred eighty (180) days from the effectivity of this Act, all persons, natural or juridical, including government entities, that own or claim to own agricultural lands, whether in their names or in the name of others, except those who have already registered pursuant to Executive Order No. 229, who shall be entitled to such incentives as may be provided for by the PARC, shall file a sworn statement in the proper assessor's office in the form to be prescribed by the DAR, stating the following information:

- (a) the description and area of the property;
- (b) the average gross income from the property for at least three (3) years;
- (c) the names of all tenants and farmworkers therein;
- (d) the crops planted in the property and the area covered by each crop as of June 1, 1987;
- (e) the terms of mortgages, leases, and management contracts subsistings, as of June 1, 1987; and

(f) the latest declared market value of the land as determined by the city or provincial assessor.

SEC. 15. *Registration of Beneficiaries.*—The DAR in coordination with the Barangay Agrarian Reform Committee (BARC) as organized in this Act, shall register all agricultural lessees, tenants and farmworkers who are qualified to be beneficiaries of the CARP. These potential beneficiaries with the assistance of the BARC and the DAR shall provide the following data:

(a) names and members of their immediate farm household;

(b) owners or administrators of the lands they work on and the length of tenurial relationship;

(c) location and area of the land they work;

(d) crops planted; and

(e) their share in the harvest or amount of rental paid or wages received.

A copy of the registry or list of all potential CARP beneficiaries in the barangay shall be posted in the barangay hall, school or other public buildings in the barangay where it shall be open to inspection by the public at all reasonable hours.

CHAPTER V

LAND ACQUISITION

SEC. 16. *Procedure for Acquisition of Private Lands.*—For purposes of acquisition of private lands, the following procedures shall be followed:

(a) After having identified the land, the landowners and the beneficiaries, the DAR shall send its notice to acquire the land to the owners thereof, by personal delivery or registered mail, and

post the same in a conspicuous place in the municipal building and barangay hall of the place where the property is located. Said notice shall contain the offer of the DAR to pay a corresponding value in accordance with the valuation set forth in Sections 17 and 18, and other pertinent provisions hereof.

(b) Within thirty (30) days from the date of receipt of written notice by personal delivery or registered mail, the landowner, his administrator or representative shall inform the DAR of his acceptance or rejection of the offer.

(c) If the landowner accepts the offer of the DAR the Land Bank of the Philippines (LBP) shall pay the landowner the purchase price of the land within thirty (30) days after he executes and delivers a deed of transfer in favor of the government and surrenders the Certificate of Title and other muniments of title.

(d) In case of rejection or failure to reply, the DAR shall conduct summary administrative proceedings to determine the compensation for the land by requiring the landowner, the LBP and other interested parties to submit evidence as to the just compensation for the land, within fifteen (15) days from the receipt of the notice. After the expiration of the above period, the matter is deemed submitted for decision. The DAR shall decide the case within thirty (30) days after it is submitted for decision.

(e) Upon receipt by the landowner of the corresponding payment or, in case of rejection or no response from the landowner, upon the deposit with an accessible bank designated by the DAR of the compensation in cash or in LBP bonds in accordance with this Act, the DAR shall take immediate possession of the land and shall request the proper Register of Deeds to issue a Transfer Certificate of Title (TCT) in the name of the Republic of the Philippines. The DAR shall thereafter proceed with the redistribution of the land to the qualified beneficiaries.

(f) Any party who disagrees with the decision may bring the matter to the court of proper jurisdiction for final determination of just compensation.

CHAPTER VI

COMPENSATION

SEC. 17. *Determination of Just Compensation.*—In determining just compensation, the cost of acquisition of the land, the current value of like properties, its nature, actual use and income, the sworn valuation by the owner, the tax declarations, and the assessment made by government assessors shall be considered. The social and economic benefits contributed by the farmers and the farmworkers and by the Government to the property as well as the non-payment of taxes or loans secured from any government financing institution on the said land shall be considered as additional factors to determine its valuation.

SEC. 18. *Valuation and Mode of Compensation.*—The LBP shall compensate the landowner in such amount as may be agreed upon by the landowner and the DAR and the LBP, in accordance with the criteria provided for in Sections 16, and 17, and other pertinent provisions hereof, or as may be finally determined by the court, as the just compensation for the land.

The compensation shall be paid in one of the following modes, at the option of the landowner:

1. Cash payment, under the following terms and conditions:

(a) For lands above fifty (50) hectares, insofar as the excess hectarage is concerned—Twenty five percent (25%) cash, the balance to be paid in government financial instruments negotiable at any time.

(b) For lands above twenty-four (24) hectares and up to fifty (50) hectare —Thirty percent (30%) cash, the balance to be paid in government financial instruments negotiable at any time.

(c) For lands twenty four (24) hectares and below —Thirty-five percent (35%) cash, the balance to be paid in government financial instruments negotiable at any time.

2. Shares of stock in government-owned or controlled corporations, LBP preferred shares, physical assets or other qualified investments in accordance with guidelines set by the PARC;

2. Tax credits which can be used against any tax liability;

3. LBP bonds, which shall have the following features:

(a) Market interest rates aligned with 91-day treasury bill rates. Ten percent (10%) of the face value of the bonds shall mature every year from the date of issuance until the tenth (10th) year: *Provided*, That should the landowner choose to forego the cash portion, whether in full or in part, he shall be paid correspondingly in LBP bonds;

(b) Transferability and negotiability. Such LBP bonds may be used by the landowner, his successors in interest or his assigns, up to the amount of their face value, for any of the following:

(i) Acquisition of land or other real properties of the government, including assets under the Asset Privatization Program and other assets foreclosed by government financial institutions in the same province or region where the lands for which the bonds were paid are situated;

(ii) Acquisition of shares of stock of government-owned or controlled corporations or shares of stock owned by the government in private corporations;

(iii) Substitution for surety or bail bonds for the provisional release of accused persons, or for performance bonds;

(iv) Security for loans with any government financial institution, provided the proceeds of the loans shall be invested in an economic enterprise, preferably in a small-and medium-scale industry, in the same province or region as the land for which the bonds are paid;

(v) Payment for various taxes and fees to government: *Provided*, That the use of these bonds for these purposes will be limited to a certain percentage of the outstanding balance of the financial instruments: *Provided, further*, That the PARC shall determine the percentages mentioned above;

(vi) Payment for tuition fees of the immediate family of the original bondholder in government universities, colleges, trade schools, and other institutions;

(vii) Payment for fees of the immediate family of the original bondholder in government hospitals; and

(viii) Such other uses as the PARC may from time to time allow.

In case of extraordinary inflation, the PARC shall take appropriate measures to protect the economy.

SEC. 19. *Incentives for Voluntary Offers for Sale.*—Landowners, other than banks and other financial institutions, who voluntarily offer their lands for sale shall be entitled to an additional five percent (5%) cash payment.

SEC. 20. *Voluntary Land Transfer.*—Landowners of agricultural lands subject to acquisition under this Act may enter into a voluntary arrangement for direct transfer of their lands to qualified beneficiaries subject to the following guidelines:

(a) All notices for voluntary land transfer must be submitted to the DAR within the first year of the implementation of the CARP. Negotiations between the landowners and qualified beneficiaries covering any voluntary land transfer which remain unresolved after one (1) year shall not be recognized and such land shall instead be acquired by the government and transferred pursuant to this Act.

(b) The terms and conditions of such transfer shall not be less favorable to the transferee than those of the government's standing offer to purchase from the landowner and to resell to the beneficiaries, if such offers have been made and are fully known to both parties.

(c) The voluntary agreement shall include sanctions for non-compliance by either party and shall be duly recorded and its implementation monitored by the DAR.

SEC. 21. *Payment of Compensation by Beneficiaries under Voluntary Land Transfer.*—Direct payment in cash or in kind may be made by the farmer-beneficiary to the landowner under terms to be mutually agreed upon by both parties, which shall be binding upon them, upon registration with and approval by the DAR. Said approval shall be considered given, unless notice of disapproval is received by the farmer-beneficiary within thirty (30) days from the date of registration.

In the event they cannot agree on the price of land, the procedure for compulsory acquisition as provided in Section 16 shall apply. The LBP shall extend financing to the beneficiaries for purposes of acquiring the land.

CHAPTER VII

LAND REDISTRIBUTION

SEC. 22. *Qualified Beneficiaries.*—The lands covered by the CARP shall be distributed as much as possible to landless residents

of the same barangay, or in the absence thereof, landless residents of the same municipality in the following order of priority:

- (a) agricultural lessees and share tenants;
- (b) regular farmworkers
- (c) seasonal farmworkers;
- (d) other farmworkers;
- (e) actual tillers or occupants of public lands;
- (f) collectives or cooperatives of the above beneficiaries; and
- (g) others directly working on the land.

Provided, however, That the children of landowners who are qualified under Section 6 of this Act shall be given preference in the distribution of the land of their parents: and *Provided, further,* That actual tenant-tillers in the landholding shall not be ejected or removed therefrom.

Beneficiaries under Presidential Decree No. 27 who have culpably sold, disposed of, or abandoned their land are disqualified to become beneficiaries under this Program.

A basic qualification of a beneficiary shall be his willingness, aptitude, and ability to cultivate and make the land as productive as possible. The DAR shall adopt a system of monitoring the record or performance of each of beneficiary, so that any beneficiary guilty of negligence or misuse of the land or any support extended to him shall forfeit his right to continue as such beneficiary. The DAR shall submit periodic reports on the performance of the beneficiaries to the PARC.

If, due to the landowner's retention rights or to the number of tenants, lessees, or workers on the land, there is not enough land to

accommodate any or some of them, they may be granted ownership of other lands available for distribution under this Act, at the option of the beneficiaries.

Farmers already in place and those not accommodated in the distribution of privately-owned lands will be given preferential rights in the distribution of lands from the public domain.

SEC. 23. *Distribution Limit.*—No qualified beneficiary may own more than three (3) hectares of agricultural land.

SEC. 24. *Award to Beneficiaries.*—The rights and responsibilities of the beneficiary shall commence from the time the DAR makes an award of the land to him, which award shall be completed within one hundred eighty (180) days from the time the DAR takes actual possession of the land. Ownership of the beneficiary shall be evidenced by a Certificate of Land Ownership Award, which shall contain the restrictions and conditions provided for in this Act, and shall be recorded in the Register of Deeds concerned and annotated on the Certificate of Title.

SEC. 25. *Award Ceilings for Beneficiaries.*—Beneficiaries shall be awarded an area not exceeding three (3) hectares, which may cover a contiguous tract of land or several parcels of land cumulated up to the prescribed award limits.

For purposes of this Act, a landless beneficiary is one who owns less than three (3) hectares of agricultural land.

The beneficiaries may opt for collective ownership, such as co-ownership or farmers cooperative or some other form of collective organization: *Provided*, That the total area that may be awarded shall not exceed the total number of co-owners or members of the cooperative or collective organization multiplied by the award limit above prescribed, except in meritorious cases as determined by the PARC. Title to the property shall be issued in the name of the co-owners or the cooperative or collective organization as the case may be.

SEC. 26. *Payment by Beneficiaries.*—Lands awarded pursuant to this Act shall be paid for by the beneficiaries to the LBP in thirty (30) annual amortizations at six percent (6%) interest per annum. The payments for the first three (3) years after the award may be at reduced amounts as established by the PARC: *Provided*, That the first five (5) annual payments may not be more than five percent (5%) of the value of the annual gross production as established by the DAR. Should the scheduled annual payments after the fifth year exceed ten percent (10%) of the annual gross production and the failure to produce accordingly is not due to the beneficiary's fault, the LBP may reduce the interest rate or reduce the principal obligation to make the repayment affordable.

The LBP shall have a lien by way of mortgage on the land awarded to the beneficiary; and this mortgage may be foreclosed by the LBP for non-payment of an aggregate of three (3) annual amortizations. The LBP shall advise the DAR of such proceedings and the latter shall subsequently award the forfeited landholding to other qualified beneficiaries. A beneficiary whose land, as provided herein, has been foreclosed shall thereafter be permanently disqualified from becoming a beneficiary under this Act.

SEC. 27. *Transferability of Awarded Lands.*—Lands acquired by beneficiaries under this Act may not be sold, transferred or conveyed except through hereditary succession, or to the government, or to the LBP, or to other qualified beneficiaries for a period of ten (10) years: *Provided, however*, That the children or the spouse of the transferor shall have a right to repurchase the land from the government or LBP within a period of two (2) years. Due notice of the availability of the land shall be given by the LBP to the Barangay Agrarian Reform Committee (BARC) of the barangay where the land is situated.

The Provincial Agrarian Reform Coordinating Committee (PARCCOM), as herein provided, shall, in turn, be given due notice thereof by the BARC.

If the land has not yet been fully paid by the beneficiary, the rights to the land may be transferred or conveyed, with prior approval of the DAR, to any heir of the beneficiary or to any other beneficiary who, as a condition for such transfer or conveyance, shall cultivate the land himself. Failing compliance herewith, the land shall be transferred to the LBP which shall give due notice of the availability of the land in the manner specified in the immediately preceding paragraph.

In the event of such transfer to the LBP, the latter shall compensate the beneficiary in one lump sum for the amounts the latter has already paid, together with the value of improvements he has made on the land.

SEC. 28. *Standing Crops at the Time of Acquisition.*—The landowner shall retain his share of any standing crops unharvested at the time the DAR shall take possession of the land under Section 16 of this Act, and shall be given a reasonable time to harvest the same.

CHAPTER VIII

CORPORATE FARMS

SEC. 29. *Farms Owned or Operated by Corporations or Other Business Association.*—In the case of farms owned or operated by corporations or other business associations, the following rules shall be observed by the PARC:

In general, lands shall be distributed directly to the individual worker-beneficiaries.

In case it is not economically feasible and sound to divide the land, then it shall be owned collectively by the worker-beneficiaries who shall form a workers' cooperative or association which will deal with the corporation or business association. Until a new agreement is entered into by and between the workers' cooperative or association and the corporation or business association, any

agreement existing at the time this Act takes effect between the former and the previous landowner shall be respected by both the workers' cooperative or association and the corporation or business association.

SEC. 30. *Homelots and Farmlots for Members of Cooperatives.*—The individual members of the cooperatives or corporations mentioned in the preceding section shall be provided with homelots and small farmlots for their family use, to be taken from the land owned by the cooperative or corporation.

SEC. 31. *Corporate Landowners.*—Corporate landowners may voluntarily transfer ownership over their agricultural landholdings to the Republic of the Philippines pursuant to Section 20 hereof or to qualified beneficiaries, under such terms and conditions, consistent with this Act, they may agree upon, subject to confirmation by the DAR.

Upon certification by the DAR, corporations owning agricultural lands may give their qualified beneficiaries the right to purchase such proportion of the capital stock of the corporation that the agricultural land, actually devoted to agricultural activities, bears in relation to the company's total assets, under such terms and conditions as may be agreed upon by them. In no case shall the compensation received by the workers at the time the shares of stocks are distributed be reduced. The same principle shall be applied to associations, with respect to their equity or participation.

Corporations or associations which voluntarily divest a proportion of their capital stock, equity or participation in favor of their workers or other qualified beneficiaries under this section shall be deemed to have complied with the provisions of this Act: *Provided*, That the following conditions are complied with:

a) In order to safeguard the right of beneficiaries who own shares of stocks to dividends and other financial benefits, the books of the corporation or association shall be subject to periodic audit by certified public accountants chosen by the beneficiaries;

b) Irrespective of the value of their equity in the corporation or association, the beneficiaries shall be assured of at least one (1) representative in the board of directors, or in a management or executive committee, if one exists, of the corporation or association;

c) Any shares acquired by such workers and beneficiaries shall have the same rights and features as all other shares.

d) Any transfer of shares of stock by the original beneficiaries shall be void *ab initio* unless said transaction is in favor of a qualified and registered beneficiary within the same corporation.

If within two (2) years from the approval of this Act, the land or stock transfer envisioned above is not made or realized or the plan for such stock distribution approved by the PARC within the same period, the agricultural land of the corporate owners or corporation shall be subject to the compulsory coverage of this Act.

SEC. 32. *Production-Sharing*.—Pending final land transfer, individuals or entities owning, or operating under lease or management contract, agricultural lands are hereby mandated to execute a production-sharing plan with their farmworkers or farmworkers' organization, if any, whereby three percent (3%) of the gross sales from the production of such lands are distributed within sixty (60) days of the end of the fiscal year as compensation to regular and other farmworkers' in such lands over and above the compensation they currently receive: *Provided*, That these individuals or entities realize gross sales in excess of five million pesos per annum unless the DAR, upon proper application determines a lower ceiling.

In the event that the individual or entity realizes a profit, an additional ten percent (10%) of the net profit after tax shall be distributed to said regular and other farmworkers within ninety (90) days of the end of the fiscal year.

To forestall any disruption in the normal operation of lands to be turned over to the farmworker-beneficiaries mentioned above,

a transitory period, the length of which be determined by the DAR, shall be established.

During this transitory period, at least one percent (1%) of the gross sales of the entity shall be distributed to the managerial, supervisory and technical group in place at the time of the effectivity of this Act, as compensation for such transitory managerial and technical functions as it will perform, pursuant to an agreement that the farmworker-beneficiaries and the managerial, supervisory and technical group may conclude, subject to the approval of the DAR.

SEC. 33. *Payment of Shares of Cooperative or Association.*—Shares of a cooperative or association acquired by farmers-beneficiaries or workers-beneficiaries shall be fully paid for in an amount corresponding to the valuation as determined in the immediately succeeding section. The landowner and the LBP shall assist the farmers-beneficiaries and workers-beneficiaries in the payment for said shares by providing credit financing.

SEC. 34. *Valuation of Lands.*—A valuation scheme for the land shall be formulated by the PARC, taking into account the factors enumerated in Section 17, in addition to the need to stimulate the growth of cooperatives and the objective of fostering responsible participation of the workers-beneficiaries in the creation of wealth.

In the determination of a price that is just not only to the individual but to society as well, the PARC shall consult closely with the landowner and the workers-beneficiaries.

In case of disagreement, the price as determined by the PARC, if accepted by the workers-beneficiaries, shall be followed, without prejudice to the landowner's right to petition the Special Agrarian Court to resolve the issue of valuation.

CHAPTER IX

SUPPORT SERVICES

SEC. 35. *Creation of Support Services Office.*—There is hereby created the Office of Support Services under the DAR to be headed by an Undersecretary.

The Office shall provide general support and coordinative services in the implementation of the program, particularly in carrying out the provisions of the following services to farmer-beneficiaries and affected landowners:

1) Irrigation facilities, especially second crop or dry season irrigation facilities;

2) Infrastructure development and public works projects in areas and settlements that come under agrarian reform, and for this purpose, the preparation of the physical development plan of such settlements providing suitable barangay sites, potable water and power resources, irrigation systems and other facilities for a sound agricultural development plan;

3) Government subsidies for the use of irrigation facilities;

4) Price support and guarantee for all agricultural produce;

5) Extending to small landowners, farmers and farmers' organizations the necessary credit, like concessional and collateral-free loans, for agro-industrialization based on social collaterals like the guarantees of farmers' organizations;

6) Promoting, developing and extending financial assistance to small and medium-scale industries in agrarian reform areas;

7) Assigning sufficient numbers of agricultural extension workers to farmers' organization;

8) Undertake research, development and dissemination of information on agrarian reform and low-cost and ecologically sound farm inputs and technologies to minimize reliance on expensive and imported agricultural inputs;

9) Development of cooperative management skills through intensive training;

10) Assistance in the identification of ready markets for agricultural produce and training in other various aspects of marketing; and

11) Administration, operation, management and funding of support services programs and projects including pilot projects and models related to agrarian reform as developed by the DAR.

SEC. 36. *Funding for Support Services.*—In order to cover the expenses and cost of support services, at least twenty-five percent (25%) of all appropriations for agrarian reform shall be immediately set aside and made available for this purpose. In addition, the DAR shall be authorized to package proposals and receive grants, aid and other forms of financial assistance from any source.

SEC. 37. *Support Services to the Beneficiaries.*—The PARC shall ensure that support services to farmer-beneficiaries are provided, such as:

(a) Land surveys and titling;

(b) Liberalized terms on credit facilities and production loans;

(c) Extension services by way of planting, cropping, production and post-harvest technology transfer, as well as marketing and management assistance and support to cooperatives and farmers' organizations;

(d) Infrastructure such as access trails, mini-dams, public utilities, marketing and storage facilities; and

(e) Research, production and use of organic fertilizers and other local substances necessary in farming and cultivation.

The PARC shall formulate policies to ensure that support services to farmer-beneficiaries shall be provided at all stages of land reform.

The *Bagong Kilusang Kabuhayan sa Kaunlaran* (BKKK) Secretariat shall be transferred and attached to the LBP, for its supervision including all its applicable and existing funds, personnel, properties, equipment and records.

Misuse or diversion of the financial and support services herein provided shall result in sanctions against the beneficiary guilty thereof, including the forfeiture of the land transferred to him or lesser sanctions as may be provided by the PARC, without prejudice to criminal prosecution.

SEC. 38. *Support Services to Landowners.*—The PARC with the assistance of such other government agencies and instrumentalities as it may direct, shall provide landowners affected by the CARP and prior agrarian reform programs with the following services:

(a) Investment information, financial and counselling assistance;

(b) Facilities, programs and schemes for the conversion or exchange of bonds issued for payment of the lands acquired with stocks and bonds issued by the National Government, the Central Bank and other government institutions and instrumentalities;

(c) Marketing of LBP bonds, as well as promoting the marketability of said bonds in traditional and non- traditional financial markets and stock exchanges; and

(d) Other services designed to utilize productively the proceeds of the sale of such lands for rural industrialization.

A landowner who invests in rural-based industries shall be entitled to the incentives granted to a registered enterprise engaged in a pioneer or preferred area of investment as provided for in the Omnibus Investment Code of 1987, or to such other incentives as the PARC, the LBP, or other government financial institutions may provide.

The LBP shall redeem a landowner's LBP bonds at face value, provided that the proceeds thereof shall be invested in a BOI-registered company or in any agri-business or agro-industrial enterprise in the region where the landowner has previously made investments, to the extent of thirty percent (30%) of the face value of said LBP bonds, subject to guidelines that shall be issued by the LBP.

SEC. 39. *Land Consolidation.*—The DAR shall carry out land consolidation projects to promote equal distribution of landholdings, to provide the needed infrastructures in agriculture, and to conserve soil fertility and prevent erosion.

CHAPTER X

SPECIAL AREAS OF CONCERN

SEC. 40. *Special Areas of Concern.*—As an integral part of the Comprehensive Agrarian Reform Program, the following principles in these special areas of concern shall be observed:

1) *Subsistence Fishing.*—Small fisherfolk, including seaweed farmers, shall be assured of greater access to the utilization of water resources.

2) *Logging and Mining Concessions.*—Subject to the requirement of a balanced ecology and conservation of water resources, suitable areas, as determined by the Department of Environment and Natural Resources (DENR), in logging, mining and pasture areas, shall be opened up for agrarian settlements whose beneficiaries shall be required to undertake reforestation

and conservation production methods. Subject to existing laws, rules and regulations, settlers and members of tribal communities shall be allowed to enjoy and exploit the products of the forest other than timber within the logging concessions.

3) *Sparsely Occupied Public Agricultural Lands*—Sparsely occupied agricultural lands of the public domain shall be surveyed, proclaimed and developed as farm settlements for qualified landless people based on an organized program to ensure their orderly and early development.

Agricultural land allocations shall be made for ideal family-size farms as determined by the PARC. Pioneers and other settlers shall be treated equally in every respect.

Subject to the prior rights of qualified beneficiaries, uncultivated lands of the public domain shall be made available on a lease basis to interested and qualified parties. Parties who will engage in the development of capital-intensive, traditional or pioneering crops shall be given priority.

The lease period, which shall not be more than a total of fifty (50) years, shall be proportionate to the amount of investment and production goals of the lessee. A system of evaluation and audit shall be instituted.

4) *Idle, Abandoned, Foreclosed and Sequestered Lands*—Idle, abandoned, foreclosed and sequestered lands shall be planned for distribution as home lots and family-size farmlots to actual occupants. If land area permits, other landless families shall be accommodated in these lands.

5) *Rural Women*—All qualified women members of the agricultural labor force must be guaranteed and assured equal rights to ownership of the land, equal shares of the farm's produce, and representation in advisory or appropriate decision-making bodies.

6) *Veterans and Retirees*—In accordance with Section 7 of Article XVI of the Constitution, landless war veterans and veterans of military campaigns, their surviving spouses and orphans, retirees of the Armed Forces of the Philippines (AFP) and the Integrated National Police (INP), returnees, surrenderees, and similar beneficiaries shall be given due consideration in the disposition of agricultural lands of the public domain.

7) *Agriculture Graduates*—Graduates of agricultural schools who are landless shall be assisted by the government, through the DAR, in their desire to own and till agricultural lands.

CHAPTER XI

PROGRAM IMPLEMENTATION

SEC. 41. *The Presidential Agrarian Reform Council*.—The Presidential Agrarian Reform Council (PARC) shall be composed of the President of the Philippines as Chairman, the Secretary of Agrarian Reform as Vice-Chairman and the following as members: Secretaries of the Department of Agriculture; Environment and Natural Resources; Budget and Management; Local Government; Public Works and Highways; Trade and Industry; Finance; Labor and Employment; Director-General of the National Economic and Development Authority; President, Land Bank of the Philippines; Administrator, National Irrigation Administration; and three (3) representatives of affected landowners to represent Luzon, Visayas and Mindanao; six (6) representatives of agrarian reform beneficiaries, two (2) each from Luzon, Visayas and Mindanao, provided that one of them shall be from the cultural communities.

SEC. 42. *Executive Committee*.—There shall be an Executive Committee (EXCOM) of the PARC composed of the Secretary of the DAR as Chairman, and such other members as the President may designate, taking into account Article XIII, Section 5 of the Constitution. Unless otherwise directed by the PARC, the EXCOM, may meet and decide on any and all matters in between meetings of

the PARC: *Provided*, however, That its decisions must be reported to the PARC immediately and not later than the next meeting.

SEC. 43. *Secretariat*.—A PARC Secretariat is hereby established to provide general support and coordinative services such as inter-agency linkages; program and project appraisal and evaluation and general operations monitoring for the PARC.

The Secretariat shall be headed by the Secretary of Agrarian Reform who shall be assisted by an Undersecretary and supported by a staff whose composition shall be determined by the PARC Executive Committee and whose compensation shall be chargeable against the Agrarian Reform Fund. All officers and employees of the Secretariat shall be appointed by the Secretary of Agrarian Reform.

SEC. 44. *Provincial Agrarian Reform Coordinating Committee (PARCCOM)*.—A Provincial Agrarian Reform Coordinating Committee (PAPCCOM) is hereby created in each province, composed of a Chairman, who shall be appointed by the President upon the recommendation of the EXCOM, the Provincial Agrarian Reform Officer as Executive Officer, and one representative each from the Departments of Agriculture, and of Environment and Natural Resources and from the LBP; one representative each from existing farmers' organizations, agricultural cooperatives and non-governmental organizations in the province; two representatives from landowners, at least one of whom shall be a producer representing the principal crop of the province, and two representatives from farmer and farmworker beneficiaries, at least one of whom shall be a farmer or farmworker representing the principal crop of the province, as members: *Provided*, That in areas where there are cultural communities, the latter shall likewise have one representative.

The PARCCOM shall coordinate and monitor the implementation of the CARP in the province. It shall provide information on the provisions of the CARP, guidelines issued by the PARC and on the progress of the CARP in the province.

SEC. 45. *Province-by-Province Implementation.* — The PARC shall provide the guidelines for a province-by-province implementation of the CARP. The ten-year program of distribution of public and private lands in each province shall be adjusted from year to year by the province's PARCCOM in accordance with the level of operations previously established by the PARC, in every case ensuring that support services are available or have been programmed before actual distribution is effected.

SEC. 46. *Barangay Agrarian Reform Committee (BARC).*— Unless otherwise provided in this Act, the provisions of Executive Order No. 229 regarding the organization of the Barangay Agrarian Reform Committee (BARC) shall be in effect.

SEC. 47. *Functions of the BARC.*— In addition to those provided in Executive Order No. 229, the BARC shall have the following functions:

(a) Mediate and conciliate between parties involved in an agrarian dispute including matters related to tenurial and financial arrangements;

(b) Assist in the identification of qualified beneficiaries and landowners within the barangay;

(c) Attest to the accuracy of the initial parcellary mapping of the beneficiary's tillage;

(d) Assist qualified beneficiaries in obtaining credit from lending institutions;

(e) Assist in the initial determination of the value of the land;

(f) Assist the DAR representative in the preparation of periodic reports on the CARP implementation for submission to the DAR;

(g) Coordinate the delivery of support services to beneficiaries; and

(h) Perform such other functions as may be assigned by the DAR.

(2) The BARC shall endeavor to mediate, conciliate and settle agrarian disputes lodged before it within thirty (30) days from its taking cognizance thereof. If after the lapse of the thirty day period, it is unable to settle the dispute, it shall issue a certification of its proceedings and shall furnish a copy thereof upon the parties within seven (7) days after the expiration of the thirty day period.

SEC. 48. *Legal Assistance*.—The BARC or any member thereof may, whenever necessary in the exercise of any of its functions hereunder, seek the legal assistance of the DAR and the provincial, city, or municipal government.

SEC. 49. *Rules and Regulations*.—The PARC and the DAR shall have the power to issue rules and regulations, whether substantive or procedural, to carry out the objects and purposes of this Act. Said rules shall take effect ten (10) days after publication in two (2) national newspapers of general circulation.

CHAPTER XII

ADMINISTRATIVE ADJUDICATION

SEC. 50. *Quasi-Judicial Powers of the DAR*.—The DAR is hereby vested with primary jurisdiction to determine and adjudicate agrarian reform matters and shall have exclusive original jurisdiction over all matters involving the implementation of agrarian reform, except those falling under the exclusive jurisdiction of the Department of Agriculture (DA) and the Department of Environment and Natural Resources (DENR).

It shall not be bound by technical rules of procedure and evidence but shall proceed to hear and decide all cases, disputes or controversies in a most expeditious manner, employing all reasonable means to ascertain the facts of every case in accordance with justice and equity and the merits of the case. Toward this end, it shall adopt a uniform rule of procedure to achieve a just, expeditious and inexpensive determination of every action or proceeding before it.

It shall have the power to summon witnesses, administer oaths, take testimony, require submission of reports, compel the production of books and documents and answers to interrogatories and issue *subpoena*, and *subpoena duces tecum* and to enforce its writs through sheriffs or other duly deputized officers. It shall likewise have the power to punish direct and indirect contempts in the same manner and subject to the same penalties as provided in the Rules of Court.

Responsible farmer leaders shall be allowed to represent themselves, their fellow farmers, or their organizations in any proceedings before the DAR: *Provided, however*, That when there are two or more representatives for any individual or group, the representatives should choose only one among themselves to represent such party or group before any DAR proceedings.

Notwithstanding an appeal to the Court of Appeals, the decision of the DAR shall be immediately executory.

SEC. 51. *Finality of Determination.*—Any case or controversy before it shall be decided within thirty (30) days after it is submitted for resolution. Only one (1) motion for reconsideration shall be allowed. Any order, ruling or decision shall be final after the lapse of fifteen (15) days from receipt of a copy thereof.

SEC. 52. *Fivolous Appeals.*—To discourage frivolous or dilatory appeals from the decisions or orders on the local or provincial levels, the DAR may impose reasonable penalties, including but not limited to fines or censures upon erring parties.

SEC. 53. *Certification of the BARC.*—The DAR shall not take cognizance of any agrarian dispute or controversy unless a certification from the BARC that the dispute has been submitted to it for mediation and conciliation without any success of settlement is presented: *Provided*, however, That if no certification is issued by the BARC within thirty (30) days after a matter or issue is submitted to it for mediation or conciliation the case or dispute may be brought before the PARC.

CHAPTER XIII

JUDICIAL REVIEW

SEC. 54. *Certiorari.*—Any decision, order, award or ruling of the DAR on any agrarian dispute or on any matter pertaining to the application, implementation, enforcement, or interpretation of this Act and other pertinent laws on agrarian reform may be brought to the Court of Appeals by certiorari except as otherwise provided in this Act within fifteen (15) days from receipt of a copy thereof.

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

SEC. 55. *No Restraining Order Or Preliminary Injunction.*—No court in the Philippines shall have jurisdiction to issue any restraining order or writ of preliminary injunction against the PARC or any of its duly authorized or designated agencies in any case, dispute or controversy arising from, necessary to, or in connection with the application, implementation, enforcement, or interpretation of this Act and other pertinent laws on agrarian reform.

SEC. 56. *Special Agrarian Court.*—The Supreme Court shall designate at least one (1) branch of the Regional Trial Court (RTC) within each province to act as a Special Agrarian Court.

The Supreme Court may designate more branches to constitute such additional Special Agrarian Courts as may be necessary to

cope with the number of agrarian cases in each province. In the designation, the Supreme Court shall give preference to the Regional Trial Courts which have been assigned to handle agrarian cases or whose presiding judges were former judges of the defunct Court of Agrarian Relations.

The Regional Trial Court (RTC) judges assigned to said courts shall exercise said special jurisdiction in addition to the regular jurisdiction of their respective courts.

The Special Agrarian Courts shall have the powers and prerogatives inherent in or belonging to the Regional Trial Courts.

SEC. 57. *Special Jurisdiction.*—The Special Agrarian Courts shall have original and exclusive jurisdiction over all petitions for the determination of just compensation to landowners, and the prosecution of all criminal offenses under this Act. The Rules of Court shall apply to all proceedings before the Special Agrarian Courts, unless modified by this Act.

The Special Agrarian Courts shall decide all appropriate cases under their special jurisdiction within thirty (30) days from submission of the case for decision.

SEC. 58. *Appointment of Commissioners.*—The Special Agrarian Courts, upon their own initiative or at the instance of any of the parties, may appoint one or more commissioners to examine, investigate and ascertain facts relevant to the dispute, including the valuation of properties, and to file a written report thereof with the court.

SEC. 59. *Orders of the Special Agrarian Courts.*—No order of the Special Agrarian Courts on any issue, question, matter or incident raised before them shall be elevated to the appellate courts until the hearing shall have been terminated and the case decided on the merits.

SEC. 60. *Appeals*.—An appeal may be taken from the decision of the Special Agrarian Courts by filing a petition for review with the Court of Appeals within fifteen (15) days from receipt of notice of the decision; otherwise, the decision shall become final.

An appeal from the decision of the Court of Appeals, or from any order, ruling or decision of the DAR, as the case may be, shall be by a petition for review with the Supreme Court within a non-extendible period of fifteen (15) days from receipt of a copy of said decision.

SEC. 61. *Procedure on Review*.—Review by the Court of Appeals or the Supreme Court, as the case may be, shall be governed by the Rules of Court. The Court of Appeals, however, may require the parties to file simultaneous memoranda within a period of fifteen (15) days from notice, after which the case is deemed submitted for decision.

SEC. 62. *Preferential Attention in Courts*.—All courts in the Philippines, both trial and appellate, shall give preferential attention to all cases arising from or in connection with the implementation of the provisions of this Act.

All cases pending in court arising from or in connection with the implementation of this Act shall continue to be heard, tried and decided into their finality, notwithstanding the expiration of the ten-year period mentioned in Section 5 hereof.

CHAPTER XIV

FINANCING

SEC. 63. *Funding Source*.—The initial amount needed to implement this Act for the period of ten (10) years upon approval hereof shall be funded from the Agrarian Reform Fund created under Sections 20 and 21 of Executive Order No. 229.

Additional amounts are hereby authorized to be appropriated as and when needed to augment the Agrarian Reform Fund in order to fully implement the provisions of this Act.

Sources of funding or appropriations shall include the following:

a) Proceeds of the sales of the Assets Privatization Trust;

b) All receipts from assets recovered and from sales of ill-gotten wealth recovered through the Presidential Commission on Good Government;

c) Proceeds of the disposition of the properties of the Government in foreign countries;

d) Portion of amounts accruing to the Philippines from all sources of official foreign aid grants and concessional financing from all countries, to be used for the specific purposes of financing production credits, infrastructures, and other support services required by this Act;

e) Other government funds not otherwise appropriated.

All funds appropriated to implement the provisions of this Act shall be considered continuing appropriations during the period of its implementation.

SEC. 64. *Financial Intermediary for the CARP.*—The Land Bank of the Philippines shall be the financial intermediary for the CARP, and shall insure that the social justice objectives of the CARP shall enjoy a preference among its priorities.

CHAPTER XV

GENERAL PROVISIONS

SEC. 65. *Conversion of Lands.*—After the lapse of five (5) years from its award, when the land ceases to be economically feasible and sound for agricultural purposes, or the locality has become urbanized and the land will have a greater economic value for residential, commercial or industrial purposes, the DAR, upon application of the beneficiary or the landowner, with due notice to the affected parties, and subject to existing laws, may authorize the reclassification or conversion of the land and its disposition: *Provided*, That the beneficiary shall have fully paid his obligation.

SEC. 66. *Exemptions from Taxes and Fees of Land Transfers.*—Transactions under this Act involving a transfer of ownership, whether from natural or juridical persons, shall be exempted from taxes arising from capital gains. These transactions shall also be exempted from the payment of registration fees, and all other taxes and fees for the conveyance or transfer thereof: *Provided*, That all arrearages in real property taxes, without penalty or interest, shall be deductible from the compensation to which the owner may be entitled.

SEC. 67. *Free Registration of Patents and Titles.*—All Registers of Deeds are hereby directed to register, free from payment of all fees and other charges, patents, titles and documents required for the implementation of the CARP.

SEC. 68. *Immunity of Government Agencies from Undue Interference.*—No injunction, restraining order, prohibition or mandamus shall be issued by the lower courts against the Department of Agrarian Reform (DAR), the Department of Agriculture (DA) , the Department of Environment and Natural Resources (DENR), and the Department of Justice (DOJ) in their implementation of the program.

SEC. 69. *Assistance of Other Government Entities.*—The PARC in the exercise of its functions, is hereby authorized to call upon the assistance and support of other government agencies, bureaus and offices, including government-owned or controlled corporations.

SEC. 70. *Disposition of Private Agricultural Lands.*—The sale or disposition of agricultural lands retained by a landowner as a consequence of Section 6 hereof shall be valid as long as the total landholdings that shall be owned by the transferee thereof inclusive of the land to be acquired shall not exceed the landholding ceilings provided for in this Act.

Any sale or disposition of agricultural lands after the effectivity of this Act found to be contrary to the provisions hereof shall be null and void.

Transferees of agricultural lands shall furnish the appropriate Register of Deeds and the BARC an affidavit attesting that his total landholdings as a result of the said acquisition do not exceed the landholding ceiling. The Register of Deeds shall not register the transfer of any agricultural land without the submission of this sworn statement together with proof of service of a copy thereof to the BARC.

SEC. 71. *Bank Mortgages.*—Banks and other financial institutions allowed by law to hold mortgage rights or security interests in agricultural lands to secure loans and other obligations of borrowers, may acquire title to these mortgaged properties, regardless of area, subject to existing laws on compulsory transfer of foreclosed assets and acquisition as prescribed under Section 16 of this Act.

SEC. 72. *Lease, Management, Grower or Service Contracts, Mortgages and Other Claims.*—Lands covered by this Act under lease, management, grower or service contracts, and the like shall be disposed of as follows:

(a) Lease, management, grower or service contracts covering private lands may continue under their original terms and conditions until the expiration of the same even if such land has, in the meantime, been transferred to qualified beneficiaries.

(b) Mortgages and other claims registered with the Register of Deeds shall be assumed by the government up to an amount equivalent to the landowner's compensation value as provided in this Act.

SEC. 73. *Prohibited Acts and Omissions.*—The following are prohibited:

(a) The ownership or possession, for the purpose of circumventing the provisions of this Act, of agricultural lands in excess of the total retention limits of award ceilings by any person, natural or juridical, except those under collective ownership by farmer-beneficiaries.

(b) The forcible entry or illegal detainer by persons who are not qualified beneficiaries under this Act to avail themselves of the rights and benefits of the Agrarian Reform Program.

(c) The conversion by any landowner of his agricultural land into any non-agricultural use with intent to avoid the application of this Act to his landholdings and to dispossess his tenant farmers of the land tilled by them.

(d) The willful prevention or obstruction by any person, association or entity of the implementation of the CARP.

(e) The sale, transfer, conveyance or change of the nature of lands outside of urban centers and city limits either in whole or in part after the effectivity of this Act. The date of the registration of the deed of conveyance in the Register of Deeds with respect to tilted lands and the date of the issuance of the tax declaration to the transferee of the property with respect to unregistered lands, as the case may be, shall be conclusive for the purpose of this Act.

(f) The sale, transfer or conveyance by a beneficiary of the right to use or any other usufructuary right over the land he acquired by virtue of being a beneficiary, in order to circumvent the provisions of this Act.

SEC. 74. *Penalties.*—Any person who knowingly or willfully violates the provisions of this Act shall be punished by imprisonment of not less than one (1) month to not more than three (3) years or a fine of not less than one thousand pesos (P1,000.00) and not more than fifteen thousand pesos (P15,000 . 00), or both, at the discretion of the court.

If the offender is a corporation or association, the officer responsible therefor shall be criminally liable.

SEC. 75. *Suppletory Application of Existing Legislation.*—The provisions of Republic Act No. 3844 as amended, Presidential Decree Nos. 27 and 266 as amended, Executive Order Nos. 228 and 229, both Series of 1987; and other laws not inconsistent with this Act shall have suppletory effect.

SEC. 76. *Repealing Clause.*—Section 35 of Republic Act No. 3844, Presidential Decree No. 316, the last two paragraphs of Section 12 of Presidential Decree No. 946, Presidential Decree No. 1038, and all other laws, decrees, executive orders, rules and regulations, issuances or parts thereof inconsistent with this Act are hereby repealed or amended accordingly.

SEC. 77. *Separability Clause.*—If, for any reason, any section or provision of this Act is declared null and void, no other section, provision, or part thereof shall be affected and the same shall remain in full force and effect.

SEC. 78. *Effectivity Cause.*—This Act shall take effect immediately after publication in at least two (2) national newspapers of general circulation.

Approved,

(Sgd.) RAMON V. MITRA
*Speaker of the House
of Representatives*

(Sgd.) JOVITO R. SALONGA
President of the Senate

This Act which is a consolidation of Senate Bill No. 249 and House Bill No. 400 was finally passed by both the Senate and the House of Representatives, on June 7, 1988.

(Sgd.) QUIRINO D. ABAD SANTOS, JR.
*Secretary of the House of
Representatives*

(Sgd.) EDWIN P. ACOBA
Acting Secretary of the Senate

Approved: June 10, 1988

(Sgd.) CORAZON C. AQUINO
President of the Philippines

RA 6657 was amended by RA 7881.

RA 6657 was amended by RA 9700.

RA 6657 (secs. 35, 36, 44, and 45) were amended by RA 7905.

RA 6657 (sec. 63) was amended by RA 8532.

RA 6657 repealed or amended PD 316.

RA 6657 repealed or amended PD 946 (sec. 12).

RA 6657 repealed or amended PD 1038.

RA 6657 repealed or amended RA 3844 (sec. 35).

H. No. 13029
S. No. 513

Republic of the Philippines
CONGRESS OF THE PHILIPPINES
Metro Manila

Eight Congress
Third Regular Session

Begun and held in Metro Manila, on Monday, the twenty-fourth day
of July, nineteen hundred and eighty-nine.

REPUBLIC ACT NO. 6938

AN ACT TO ORDAIN A COOPERATIVE CODE OF THE
PHILIPPINES

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

CHAPTER I

GENERAL CONCEPTS AND PRINCIPLES

ARTICLE 1. *Title.* – This Act shall be known as the
“Cooperative Code of the Philippines.”

ART. 2. *Declaration of Policy.* – It is the declared policy of the
State to foster the creation and growth of cooperatives as a practical
vehicle for promoting self-reliance and harnessing people power
towards the attainment of economic development and social justice.
The State shall encourage the private sector to undertake the
actual formation and organization of cooperatives and shall create
an atmosphere that is conducive to the growth and development of
these cooperatives.

Towards this end, the Government and all its branches, subdivisions, instrumentalities and agencies shall ensure the provision of technical guidance, financial assistance and other services to enable said cooperatives to develop into viable and responsive economic enterprises and thereby bring about a strong cooperative movement that is free from any conditions that might infringe upon the autonomy or organizational integrity of cooperatives.

Further, the State recognizes the principle of subsidiary under which the cooperative sector will initiate and regulate within its own ranks the promotion and organization, training and research, audit and support services relating to cooperatives with government assistance where necessary;

ART. 3. *General Concepts.* – A cooperative is a duly registered association of persons, with a common bond of interest, who have voluntarily joined together to achieve a lawful common social or economic end, making equitable contributions to the capital required and accepting a fair share of the risks and benefits of the undertaking in accordance with universally accepted cooperative principles.

ART. 4. *Cooperative Principles.* – Every cooperative shall conduct its affairs in accordance with Filipino culture and experience and the universally accepted principles of cooperation which include the following:

(1) *Open and Voluntary Membership.* – Membership in a cooperative shall be voluntary and available to all individuals regardless of their social, political, racial or religious background or beliefs.

(2) *Democratic Control.* – Cooperatives are democratic organizations. Their affairs shall be administered by persons elected or appointed in a manner agreed upon by the members. Members of primary cooperatives shall have equal voting rights on a one-member-one-vote principle: *Provided, however,* That, in the case of

secondary and tertiary cooperatives, the provisions of Article 37 of this Code shall apply.

(3) *Limited Interest in Capital.* – Share capital shall receive a strictly limited rate of interest.

(4) *Division of Net Surplus.* – Net surplus arising out of the operations of a cooperative belongs to its members and shall be equitably distributed for cooperative development, common services, indivisible reserve fund, and for limited interest on capital and/or patronage refund in the manner provided in this Code and in the articles of cooperation and bylaws.

(5) *Cooperative Education.* – All cooperatives shall make provision for the education of their members, officers and employees and of the general public based on the principles of cooperation.

(6) *Cooperation Among Cooperatives.* – All cooperatives, in order to best the interest of their members and communities, shall actively cooperate with other cooperatives at local, national, and international levels.

ART. 5. *Definitions of Terms.* – The following terms shall mean:

(1) *Member* includes a person either natural or juridical who, adhering to the principles set forth in this Code and in the articles of cooperation, has been admitted by the cooperative as member;

(2) *General Assembly* shall mean the full membership of the cooperative duly assembled for the purpose of exercising all the rights and performing all the obligations pertaining to cooperatives, as provided by this Code, its articles of cooperation and bylaws;

(3) *Board of Directors* shall mean that body entrusted with the management of the affairs of the cooperative under its articles of cooperation and bylaws;

(4) *Committee* shall refer to any body entrusted with specific functions and responsibilities under the bylaws or resolution of the general assembly or the board of directors;

(5) *Articles of Cooperation* means the articles of cooperation registered under this Code and includes a registered amendment thereof;

(6) *Bylaws* means the bylaws registered under this Code and includes any registered amendment thereof;

(7) *Registration* means the operative act granting juridical personality to a proposed cooperative and is evidenced by a certificate of registration;

(8) *Cooperative Development Authority* means the government agency in charge of the registration and regulation of cooperatives as such, hereinafter referred to as the Authority; and

(9) *Universally Accepted Principles* means that body of cooperative principles adhered to worldwide by cooperatives in other jurisdictions.

XXX XXX XXX

CHAPTER XI

SPECIAL PROVISIONS RELATING TO AGRARIAN REFORM COOPERATIVES

ART. 88. *Coverage*. – The provisions of this Chapter shall primarily govern agrarian reform cooperatives: *Provided*, That the provisions or other chapters of this Code shall apply suppletorily except insofar as this Chapter otherwise provides.

ART. 89. *Definition and Purposes*. – An agrarian reform cooperative within the meaning of this Code is one where the majority of the members are agrarian reform beneficiaries and

marginal farmers and organized for any or all of the following purposes:

(1) To develop an appropriate system of land tenure, land development, and land consolidation or land management in areas covered by agrarian reform;

(2) To coordinate and facilitate the dissemination of scientific methods of production, and provide assistance in the storage, transport, and marketing of farm products for agrarian reform beneficiaries and their immediate family, hereinafter referred to as “beneficiaries”;

(3) To provide financial facilities to beneficiaries for provident or productive purposes at reasonable costs;

(4) To arrange and facilitate the expeditious transfer of appropriate and suitable technology to beneficiaries and marginal farmers at the lowest possible cost;

(5) To provide social security benefits, health, medical and social insurance benefits and other social and economic benefits that promote the general welfare of the agrarian reform beneficiaries and marginal farmers;

(6) To provide non-formal education, vocational/technical training, and livelihood programs to beneficiaries and marginal farmers;

(7) To act as channels for external assistance and services to the beneficiaries and marginal farmers;

(8) To undertake a comprehensive and integrated development program in agrarian reform and resettlement areas with special concern for the development of agro-based, marine-based and cottage-based industries;

(9) To represent the beneficiaries on any or all matters that affect their interest; and

(10) To undertake such other economic or social activities as may be necessary or incidental in the pursuit of the foregoing purposes.

ART. 90. *Cooperative Estates.* – Landholdings like plantations, estates or *haciendas* acquired by the State for the benefit of the workers in accordance with the Comprehensive Agrarian Reform Program shall be owned collectively by the workers-beneficiaries who shall form a cooperative at their option.

ART. 91. *Infrastructure.* – In agrarian reform and resettlement areas, the Government shall grant to agrarian reform cooperatives preferential treatment, if necessary, the authority to construct, maintain, and manage with government funding roads, bridges, canals, wharves, ports, reservoirs, irrigation systems, waterworks systems, and other infrastructures. For this purpose, government technical assistance, facilities and equipment shall be made available to such agrarian reform cooperatives for their use.

ART.92. *Lease of Public Lands.* – The Government may lease public lands to any agrarian reform cooperative for a period not exceeding twenty-five (25) years, subject to renewal for another twenty-five (25) years only: *Provided*, That the application for renewal shall be made one (1) year before the expiration of the lease: *Provided, further*, That such lease shall be for the exclusive use and benefit of the beneficiaries and marginal farmers subject to the provisions of the Comprehensive Agrarian Reform Program.

ART. 93. *Preferential Right.* – In agrarian reform areas, an agrarian reform cooperative shall have the preferential right in the grant of franchise and certificate of public convenience and necessity for the operation of public utilities and services: *Provided*, That it meets the requirements and conditions imposed by the appropriate government agency granting the franchise or certificate of public convenience and necessity.

Electric service agencies shall, upon request of agrarian reform cooperatives, immediately provide electric services to agrarian reform areas. If the electric service agencies concerned fails for any reason to provide the services requested within a period of one (1) year from receipt thereof, the agrarian reform cooperative concerned may provide the electric services in the agrarian reform area directly through its own resources and shall continue to do so until such time that the electric service agency concerned purchases all the investments made by the agrarian reform cooperative in the electrification of the agrarian reform areas.

ART. 94. *Privileges.* – Subject to such reasonable terms and conditions as the Department of Agrarian Reform and the Authority may impose, agrarian reform cooperatives may be given the exclusive right to do any or all of the following economic activities in agrarian reform and resettlement areas:

(1) Supply and distribution of consumer, agricultural, aquacultural, and industrial goods, production inputs, and raw materials and supplies, machinery, equipment, facilities and other services and requirements of the beneficiaries and marginal farmers in the agrarian reform areas at reasonable prices;

(2) Marketing of the products and services of the beneficiaries on the local and foreign markets;

(3) Processing of the members' products into finished consumer or industrial goods for domestic consumption or for export;

(4) Provision of essential public services at cost such as power, irrigation, potable water, passenger and/or cargo transportation by land, sea, or air, communication services, and public health and medical care services:

(5) Management, conservation, and commercial development, of marine, forestry, mineral, water and other natural resources subject to compliance with the laws and regulations on environmental and ecological controls;

(6) Provision of financial, technological, and other services and facilities required by the beneficiaries in their daily lives and livelihood.

The Government shall provide the necessary financial and technical assistance to agrarian reform cooperatives to enable them to discharge effectively their purposes under this article. The Department of Agrarian Reform, the Cooperative Development Authority and the Central Bank of the Philippines shall draw up a joint program for the organization and financing of the agrarian reform cooperatives subject to this Chapter. The joint program shall be geared towards the beneficiaries gradual assumption of full ownership and management control of the agrarian reform cooperatives within ten (10) years from the date of registration of said cooperatives.

ART. 95. *Organization and Registration.* – Agrarian reform cooperatives may be organized and registered under this Code only upon prior written verification by the Department of Agrarian Reform to the effect that the same is needed and desired by the beneficiaries; results of a study that has been conducted fairly indicate the economic feasibility of organizing the same and that it will be economically viable in its operations; and that the same may now be organized and registered in accordance with the requirements of this Code.

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ART. 127. *Repeals.* – Except as expressly provided by this Code, Presidential Decree No. 175 and all other laws, or parts thereof, inconsistent with any provisions of this Code shall be deemed repealed: *Provided, however,* That nothing in this Code shall be interpreted to mean the amendment of repeal of any provision of Presidential Decree No. 269: *Provided, further,* That the electric cooperatives which qualify as such under this Code shall fall under the coverage thereof.

ART.128. *Transitory Provisions.* – All cooperatives registered under Presidential Decree Nos. 175 and 775 and Executive Order No. 898, and all other laws shall be deemed registered with the Cooperative Development Authority: *Provided, however,* That they shall submit to the nearest Cooperative Development Authority office their certificate of registration, copies of the articles of cooperation and bylaws and their latest duly audited financial statements within one (1) year from the effectivity of this Act, otherwise their registration shall be cancelled: *Provided, further,* That cooperatives created under Presidential Decree No. 269, as amended by Presidential Decree No. 1645, shall be given three (3) years within which to qualify and register with the Authority: *Provided, finally,* That after these cooperatives shall have qualified and registered, the provisions of Sections 3 and 5 of Presidential Decree No. 1645 shall no longer be applicable to said cooperatives.

ART. 129. *Separability.* – Should any part of this Code be declared unconstitutional, the rest of the provisions shall not be affected thereby.

ART. 130. *Effectivity.* – This Code shall take effect fifteen (15) days from its publication in a newspaper of general circulation.

Approved,

(Sgd.) JOVITO R. SALONGA
President of the Senate

(Sgd.) RAMON V. MITRA
*Speaker of the House
of Representatives*

This Act which is a consolidation of House Bill No. 13029 and Senate Bill No. 513 was passed by the House of Representatives and the Senate of the Philippines on March 5, 1990 and March 2, 1990, respectively.

(Sgd.) JEDWIN P. ASCOBA
Secretary of the Senate

(Sgd.) MYRA MARIE D. VILLARICA
*Secretary of the House of
Representatives*

Approved: March 10, 1990

(Sgd.) CORAZON C. AQUINO
President of the Philippines

RA 6938 was amended by RA 9520.
RA 6938 repealed PD 175.

H. No. 4906
S. No. 356

REPUBLIC ACT NO. 7652

AN ACT ALLOWING THE LONG-TERM LEASE OF PRIVATE LANDS BY FOREIGN INVESTORS

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

SECTION 1. *Title.* – This Act shall be known as the “Investors’ Lease Act.”

SEC. 2. *Declaration of Policy.* – It is hereby declared the policy of the State to encourage foreign investments consistent with the constitutional mandate to conserve and develop our own patrimony. Towards this end, the State hereby adopts a flexible and dynamic policy on the granting of long-term lease on private lands to foreign investors for the establishment of industrial estates, factories, assembly or processing plants, agro-industrial enterprises, land development for industrial, or commercial use, tourism, and other similar priority productive endeavors.

SEC. 3. *Definitions.* – For purposes of this Act, unless the context indicates otherwise, the term:

(1) “Investing in the Philippines” shall mean making an equity investment in the Philippines through actual remittance of foreign exchange or transfer of assets, whether in the form of capital goods, patents, formulae, or other technological rights or processes, upon registration with the Securities and Exchange Commission; and

(2) “Withdrawal of approved investment” shall mean either; (a) the failure to operate the investment project for any three (3) consecutive years; or (b) outright abandonment of the investment project at any time during the approved lease period: *Provided*, That failure to pay lease rental for three (3) consecutive months coupled

with the failure to operate the investment project for the same period shall be deemed an outright abandonment of the project.

SEC. 4. *Coverage.* – Any foreign investor investing in the Philippines shall be allowed to lease private lands in accordance with the laws of the Republic of the Philippines subject to the following conditions:

(1) No lease contract shall be for a period exceeding fifty (50) years, renewable once for a period of not more than twenty- five (25) years;

(2) The leased area shall be used solely for the purpose of the investment upon the mutual agreement of the parties;

(3) The leased premises shall comprise such area as may reasonably be required for the purpose of the investment subject however to the Comprehensive Agrarian Reform Law and the Local Government Code.

The leasehold right acquired under long-term lease contracts entered into pursuant to this Act may be sold, transferred, or assigned: *Provided*, That when the buyer, transferee, or assignee is a foreigner or a foreign-owned enterprise, the conditions and limitations in respect to the use of the leased property as provided for under this Act shall continue to apply.

SEC. 5. *Limitations.* – (1) Foreign individuals, corporations, associations, or partnerships not otherwise investing in the Philippines as defined herein shall continue to be covered by Presidential Decree No. 471 and other existing laws in lease of lands to foreigners.

(2) Withdrawal of the approved investment in the Philippines within the period of the lease agreement entered into under this Act, or use of the leased area for the purpose other than that authorized, shall warrant the *ipso facto* termination of the lease agreement

without prejudice to the right of the lessor to be compensated for the damages he may have suffered thereby.

(3) Any lease agreement under this Act which is renewable at the option of the lessee subject to the same terms and conditions of the original contract shall be interpreted to mean as renewable upon the mutual agreement of the parties.

(4) In addition to the conditions for the renewal of a lease agreement after the period of fifty (50) years as provided herein, the foreign lease shall show that it has made social and economic contributions to the country.

(5) In the case of tourism projects, lease of private lands by foreign investors qualified herein shall be limited to projects with an investment of not less than five million (5M) US dollars, seventy percent (70%) of which shall be infused in said project within three years from the signing of the lease contract.

SEC. 6. *Termination of Lease Contract.* – The Secretary of Trade and Industry shall terminate any lease contract entered into under the provisions of this Act, if the investment project is not initiated within three (3) years from the signing of the lease contract.

SEC. 7. *Penal Provision.* – Any contract or agreement made or executed in violation of any of the following prohibited acts shall be null and void *ab initio* and both contracting parties shall be punished by a fine of not less than One Hundred thousand pesos (P100,000) nor more than One million pesos (P1,000,000), or imprisonment of six (6) months to (6) years, or both, at the discretion of the court:

(1) Any provision in the lease agreement stipulating a lease period in excess of that provided in paragraph (1) of Section 4;

(2) Use of the leased premises for the purpose contrary to existing laws of the land, public order, public policy, morals, or good customs;

(3) Any agreement or agreements resulting in the lease of land in excess of the area approved by the DTI: *Provided*, That, where the excess of the totality of the area leased is due to the acts of the lessee, the lessee shall be held solely liable therefor: *Provided, further*, That, in the case of corporations, associations, or partnerships, the president, manager, director, trustee, or officers responsible for the violation hereof shall bear the criminal liability.

SEC. 8. *Separability Clause*. – In case any provision of this Act or the application of such provision is deemed unconstitutional, the remaining provisions of this Act or the application of such provisions shall not be affected thereby.

SEC. 9. *Repealing Clause*. – All acts, rules and regulations contrary to or inconsistent with this Act are hereby repealed or modified accordingly.

SEC. 10. *Effectivity Clause*. – this Act shall take effect immediately upon its approval.

Approved, June 4, 1993.

H. No. 10696
S. No. 1509

REPUBLIC ACT NO. 7661

AN ACT AMENDING REPUBLIC ACT NUMBERED SEVEN THOUSAND ONE HUNDRED AND EIGHTY-ONE, ENTITLED “AN ACT EXTENDING THE LIFE OF THE COMMITTEE ON PRIVATIZATION AND ASSET PRIVATIZATION TRUST”

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

SECTION 1. Section 1 of Republic Act No. 7181 is hereby amended to read as follows:

“SECTION. 1. The term of the Committee on Privatization and the Asset Privatization Trust created by Proclamation No. 50 “Proclaiming and Launching a Program for the Expeditious Disposition and Privatization of Certain Government Corporations and/or the Assets thereof, and Creating the Committee on Privatization and the Asset Privatization Trust” is hereby extended from December 31, 1993 to June 30, 1995. *Provided*, That prior to the beginning of its extended term on January 1, 1994, the President may appoint new members of the Asset Privatization Trust.

“During the said extension period, the Committee on Privatization and the Asset Privatization Trust shall continue to exercise the powers, duties and responsibilities provided under Proclamation No. 50, as amended, *Provided*, That all disposition of any and all assets shall be primarily for cash: *Provided, however*, that the use of government financial instruments and sales by installment may be allowed: *Provided, further*, That the Committee on Privatization shall serve as the central agency of the privatization program and, accordingly, is further empowered:

“(a) To designate the disposition entity for all assets intended for privatization, including all assets and properties recovered by

the Presidential Commission on Good Government (PCGG) and government idle properties; and

“(b) When necessary, to appoint a representative to the governing board of a government corporation or corporation with government transferred assets which has been identified for privatization who shall, for the purpose of facilitating privatization, have the powers and privileges of a member of such board, except the right to vote: *Provided*, That such appointee shall not receive any additional salary or emolument by reason of such appointment; *Provided, further*, that the appointee shall not be eligible for employment in any capacity whatsoever in the said corporation within two (2) years after privatization.

“Upon the effectivity of this Act, all receipts from the sale of assets of the Asset Privatization Trust shall be remitted to the National Treasury in the following proportion: sixty percent (60%) to the special account of the Agrarian Reform Fund and forty percent (40%) to the general fund: *Provided, however*, That within the ten year period of implementation of the Comprehensive Agrarian Reform Program the total initial amount of Fifty billion pesos (P50,000,000,000) shall be satisfied and completed from all sources pursuant to the pertinent provisions of Republic Act No. 6657 and Executive Order No. 229, dated July 1987: *Provided, further*, That except for subsidiaries of the Government Service Insurance System and the Social Security System, all government-owned or-controlled corporations shall remit to the National Government at least fifty percent (50%) of the net proceeds derived from the sale of shares or assets effective October 1, 1992: *Provided, finally*, That net proceeds shall mean gross proceeds less related liabilities and selling expenses.

“All assets held by the Asset Privatization Trust, all moneys and other properties belonging to it, and all its liabilities outstanding upon the expiration of its term shall revert to and be assumed by the National Government. The President of the Philippines shall designate by an executive order the government office or entity to

which the assets and liabilities of the Asset Privatization Trust shall be transferred.

“All cash advances and all unsettled obligations incurred after the effectivity of this law by the officers and employees of the Committee on Privatization or the Asset Privatization Trust as finally determined by the proper agency or court of law, must be liquidated on or before June 30, 1995.”

SEC. 2. Section 2 of the same Act is hereby amended to read as follows:

“SEC. 2. The following conditions shall be adhered to in privatization:

“(a) In the disposition of assets in corporate form, there shall be no undue dislocation of labor unless all benefits as provided by existing laws or Collective Bargaining Agreements (CBA) shall be complied with: *and Provided*, That the old qualified personnel shall be given preference in the hiring of new personnel by the new owners.

“(b) Assets for disposal shall not revert to previous owners who after final judgment by the proper agency or a court of law, have been found to have mismanaged or diverted the resources of the assets which resulted in loss and bankruptcy: *Provided*, That if assets are to be reverted back to the previous owners, the price shall not be less than the original transfer price.

“(c) Privatization of government assets classified as a strategic industry by the National Economic and Development Authority (NEDA) shall first be approved by the President of the Philippines.

“(d) The disposition of assets shall be governed by an abiding concern to expand the ownership base of property.

“(e) In the disposition of assets, due regard for improving competition in business and preventing the creation or perpetuation of monopolies and cartels shall be made.

“(f) A minimum of ten percent (10%) of the sale of assets in corporate form shall first be offered to small local investors, including Filipino overseas workers and, where practicable, also in the sale of any physical assets.

“(g) Sale of all assets shall be published in at least three (3) national newspapers of general circulation for three (3) consecutive days: *Provided*, That the first publication shall occur at least ten (10) days prior to the scheduled bidding date or date of negotiation.”

SEC. 3. The same Act is hereby amended by inserting between Sections 2 and 3 thereof a new section to read as follows:

SEC. 2-A. No court or administrative agency in the Philippines shall issue any restraining order or writ of preliminary injunction against the Asset Privatization Trust or the Committee on Privatization and any of its duly designated disposition entities in connection with the acquisition, sale or disposition of assets pursuant to Proclamation No. 50, nor shall order or writ be issued against the purchaser of assets sold or disposed by the Trust, the Committee, or the disposition entities to prevent such purchaser from taking possession of such assets.

In the event that any court or administrative agency issues a permanent restraining order or writ of injunction against the Trust, the Committee, and the disposition entities or the purchaser, as the case may be, secure the immediate lifting of such order or writ by filing with the judge or clerk of court a bond in an amount equal to that of the bond posted by the applicant of the order or writ.

SEC. 4. Section 6 of the same Act is hereby amended to read as follows:

“SEC. 6. The provisions of Sections 3, 10, 31, and 34 of Proclamation No. 50, as amended in particular, all other provisions of the proclamation as well as other laws, orders, promulgations, rules and regulations or parts thereof, which are inconsistent herewith, are hereby amended repealed or modified accordingly. All other provisions of the proclamation which are not otherwise in conflict with any provision hereof shall remain valid and in full force and effect.

SEC. 5. Implementing guidelines and regulations shall be issued by the Committee on Privatization to fully implement this Act within forty-five (45) days from the date of approval of this Act.

SEC. 6. This Act shall take effect after its publication in two (2) newspapers of general circulation.

Approved, December 23, 1993.

S. No. 1924

REPUBLIC ACT NO. 7835

AN ACT PROVIDING FOR A COMPREHENSIVE AND INTEGRATED SHELTER AND URBAN DEVELOPMENT FINANCING PROGRAM BY INCREASING AND REGULARIZING THE YEARLY APPROPRIATION OF THE MAJOR COMPONENTS OF THE NATIONAL SHELTER PROGRAM, INCLUDING THE *ABOT-KAYA PABAHAY* FUND UNDER REPUBLIC ACT NO. 6846, AUGMENTING THE AUTHORIZED CAPITAL STOCK AND PAID-UP CAPITAL OF THE NATIONAL HOME MORTGAGE FINANCE CORPORATION (NHMFC) AND THE HOME INSURANCE AND GUARANTY CORPORATION (HIGC), IDENTIFYING OTHER SOURCES OF FUNDING AND APPROPRIATING FUNDS FOR THE PURPOSES

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

SECTION 1. Title. – This Act shall be known as the “Comprehensive and Integrated Shelter Financing Act of 1994.”

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SEC. 10. *Fund Sources.* – The National Government is hereby mandated to allocate and appropriate the necessary funds for the continuing requirements of this Act, including whatever funds which may be made available from, but not limited to the following sources;

(A) Proceeds from documentary stamp tax: *Provided*, That Section 22 (a) of Republic Act No. 7660 shall be amended to read as follows:

“SEC. 22. The incremental revenues from the increase in the documentary stamp taxes under this Act shall be set aside for the following purposes:

“(a) Twenty-five percent (25%) of the incremental revenues in 1994 and 1995 under this Act shall be automatically appropriated for the Unified Home Lending Program under Executive Order No. 90 particularly for mass-socialized housing to be allocated as follows: fifty percent (50%) for mass-socialized housing; thirty percent (30%) for the community mortgage program administered by the National Home Mortgage Finance Corporation; and twenty percent (20%) for land banking and development to be administered by the National Housing Authority: *Provided*, That not more than one percent (1%) of the respective allocations hereof shall be used for the administrative expenses: *Provided, further*, That incremental revenues not appropriated in 1994 and 1995 shall be carried over to succeeding years until allocations herein provided shall have been fully exhausted.”

“x x x”

(B) Forty percent (40%) of the mandatory fifty percent (50%) share of the National Government from the annual aggregate gross earnings of the Philippine Amusement and Gaming Corporation (PAGCOR), as provided for in Section 12 of Presidential Decree No. 1869, beginning 1996.

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SEC. 11. *Other Fund Sources.* - The following non-budgetary funding sources shall be used to augment those mentioned in the preceding section in the implementation of a Comprehensive and Integrated Shelter and Urban Development Financing Program:

a) Ten percent (10%) of the mandatory annual contributions by Philippine Charity Sweepstakes Office to the charity fund as

provided for in Section 6 of R. A. No. 1169 shall be channeled to socialized and low-cost housing;

b) All unused agri-agra allocation funds from banks in the preceding year shall be invested in socialized and low-cost housing: *Provided*, That the used agri-agra portion has been solely devoted to agricultural or agrarian reform credit; and

c) The *Bangko Sentral ng Pilipinas* shall make available its rediscounting facilities to institutions or entities providing financing for socialized and low-cost housing in amounts and rates to be determined by the Monetary Board, taking into consideration the policy of the State as enunciated in this Act.

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SEC. 16. *Repeal*. - All laws, decrees, executive orders, proclamations, rules and regulations and other issuances, or parts thereof which are inconsistent with the provisions of this Act, are hereby repealed, amended or modified accordingly.

SEC. 17. *Separability*. - If for any reason, any provision of this Act is declared invalid or unconstitutional, the remaining provisions not affected thereby shall continue to be in full force and effect.

SEC. 18. *Effectivity*. - This Act shall take effect fifteen (15) days after its complete publication in at least two (2) national newspapers of general circulation.

Approved, December 16, 1994.

S. No. 740
H. No. 918

REPUBLIC ACT NO. 7881

AN ACT AMENDING CERTAIN PROVISIONS OF REPUBLIC ACT NO. 6657, ENTITLED “AN ACT INSTITUTING A COMPREHENSIVE AGRARIAN REFORM PROGRAM TO PROMOTE SOCIAL JUSTICE AND INDUSTRIALIZATION, PROVIDING THE MECHANISM FOR ITS IMPLEMENTATION, AND FOR OTHER PURPOSES”

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

SECTION 1. Section 3, Paragraph (b) of Republic Act No. 6657 is hereby amended to read as follows:

“SEC. 3. *Definitions.* – For the purpose of this Act, unless the context indicates otherwise:

“(b) Agriculture, Agricultural Enterprise or Agricultural Activity means the cultivation of the soil, planting of crops, growing of fruit trees, including the harvesting of such farm products, and other farm activities and practices performed by a farmer in conjunction with such farming operations done by persons whether natural or juridical.”

SEC. 2. Section 10 of Republic Act No. 6657 is hereby amended to read as follows:

“SEC. 10. *Exemptions and Exclusions.*

“a) Lands actually, directly and exclusively used for parks, wildlife, forest reserves, reforestation, fish sanctuaries and breeding grounds, watersheds and mangroves shall be exempt from the coverage of this Act.

“b) Private lands actually, directly and exclusively used for prawn farms and fishponds shall be exempt from the coverage of this Act: *Provided*, That said prawn farms and fishponds have not been distributed and Certificate of Land Ownership Award (CLOA) issued to agrarian reform beneficiaries under the Comprehensive Agrarian Reform Program.

“In cases where the fishponds or prawn farms have been subjected to the Comprehensive Agrarian Reform Law, by voluntary offer to sell, or commercial farms deferment or notices of compulsory acquisition, a simple and absolute majority of the actual regular workers or tenants must consent to the exemption within one (1) year from the effectivity of this Act. When the workers or tenants do not agree to this exemption, the fishponds or prawn farms shall be distributed collectively to the worker-beneficiaries or tenants who shall form a cooperative or association to manage the same.

“In cases where the fishponds or prawn farms have not been subjected to the Comprehensive Agrarian Reform Law the consent of the farm workers shall no longer be necessary, however, the provision of Section 32-A hereof on incentives shall apply.”

“c) Lands actually, directly and exclusively used and found to be necessary for national defense, school sites and campuses, including experimental farm stations operated by public or private schools for educational purposes, seeds and seedlings research and pilot production center, church sites and convents appurtenant thereto, mosque sites and Islamic centers appurtenant thereto, communal burial grounds and cemeteries, penal colonies and penal farms actually worked by the inmates, government and private research and quarantine centers and all lands with eighteen percent (18%) slope and over, except those already developed, shall be exempt from the coverage of this Act.”

SEC. 3. Section 11, Paragraph 1 is hereby amended to read as follows:

“SEC. 11. *Commercial Farming.* – Commercial farms, which are private agricultural lands devoted to saltbeds, fruit farms, orchards, vegetable and cut-flower farms, and cacao, coffee and rubber plantations, shall be subject to immediate compulsory acquisition and distribution after ten (10) years from the effectivity of this Act. In the case of new farms, the ten-year period shall begin from the first year of commercial production and operation, as determined by the DAR. During the ten-year period, the Government shall initiate steps necessary to acquire these lands, upon payment of just compensation for the land and the improvements thereon, preferably in favor of organized cooperatives or associations which shall thereafter manage the said lands for the workers-beneficiaries.”

SEC. 4. There shall be incorporated after Section 32 of Republic Act No. 6657 a new section to read as follows:

“SEC. 32-A. *Incentives.* – Individuals or entities owning or operating fishponds and prawn farms are hereby mandated to execute within six (6) months from the effectivity of this Act an incentive plan with their regular fishpond or prawn farmworkers or fishpond or prawn farm workers’ organization, if any, whereby seven point five percent (7.5%) of their net profit before tax from the operation of the fishpond or prawn farms are distributed within sixty (60) days at the end of the fiscal year as compensation to regular and other pond workers in such ponds over and above the compensation they currently receive.

“In order to safeguard the right of the regular fishpond or prawn farm workers under the incentive plan, the books of the fishpond or prawn farm owners shall be subject to periodic audit or inspection by certified public accountants chosen by the workers.

“The foregoing provision shall not apply to agricultural lands subsequently converted to fishpond or prawn farms provided the size of the land converted does not exceed the retention limit of the landowner.”

SEC. 5. There shall be incorporated after Section 65 of Republic Act No. 6657 new sections to read as follows:

“SEC. 65-A. *Conversion into Fishpond and Prawn Farms.*
– No conversion of public agricultural lands into fishponds and prawn farms shall be made except in situations where the provincial government with the concurrence of the Bureau of Fisheries and Aquatic Resources (BFAR) declares a coastal zone as suitable for fishpond development. In such case, the Department of Environment and Natural Resources (DENR) shall allow the lease and development of such areas: *Provided*, That the declaration shall not apply to environmentally critical projects and areas as contained in title (A) sub-paragraph two, (B-5) and (C-1) and title (B), number eleven (11) of Proclamation No. 2146, entitled “Proclaiming Certain Areas and Types of Projects as Environmentally Critical and Within the Scope of the Environmental Impact Statement (EIS) System established under Presidential Decree No. 1586,” to ensure the protection of river systems, aquifers and mangrove vegetations from pollution and environmental degradation: *Provided, further*. That the approval shall be in accordance with a set of guidelines to be drawn up and promulgated by the DAR and the BFAR: *Provided, furthermore*, That small-farmer cooperatives and organizations shall be given preference in the award of the Fishpond Lease Agreements (FLAs).

“No conversion of more than five (5) hectares of private lands to fishponds and prawn farms shall be allowed after the passage of this Act, except when the use of the land is more economically feasible and sound for fishpond and/or prawn farm, as certified by the Bureau of Fisheries and Aquatic Resources (BFAR), and a simple and absolute majority of the

regular farm workers or tenants agree to the conversion, the Department of Agrarian Reform, may approve applications for change in the use of the land: *Provided, finally*, That no piecemeal conversion to circumvent the provisions of this Act shall be allowed. In these cases where the change of use is approved, the provisions of Section 32-A hereof on incentives shall apply.”

“SECTION 65-B. *Inventory.* – Within one (1) year from the effectivity of this Act, the BFAR shall undertake and finish an inventory of all government and private fishponds and prawn farms, and undertake a program to promote the sustainable management and utilization of prawn farms and fishponds. No lease under Section 65-A hereof may be granted until after the completion of the said inventory.

“The sustainable management and utilization of prawn farms and fishponds shall be in accordance with the effluent standards, pollution charges and other pollution control measures such as, but not limited to, the quantity of fertilizers, pesticides and other chemicals used, that may be established by the Fertilizer and Pesticide Authority (FPA), the Environmental Management Bureau (EMB), and other appropriate government regulatory bodies, and existing regulations governing water utilization, primarily Presidential Decree No. 1067, entitled “A Decree Instituting A Water Code, Thereby Revising and Consolidating the Laws Governing the Ownership, Appropriation, Utilization, Exploitation, Development, Conservation and Protection of Water Resources.”

“SEC. 65-C. *Protection of Mangrove Areas.* – In existing Fishpond Lease Agreements (FLAs) and those that will be issued after the effectivity of this Act, a portion of the fishpond area fronting the sea, sufficient to protect the environment, shall be established as a buffer zone and be planted to specified mangrove species to be determined in consultation with the regional office of the DENR. The Secretary of Environment

and Natural Resources shall provide the penalties for any violation of this undertaking as well as the rules for its implementation.”

“SEC. 65-D. *Change of Crops.* – The change of crops to commercial crops or high value crops shall not be considered as a conversion in the use or nature of the land. The change in crop should however, not prejudice the rights of tenants or leaseholders should there be any and the consent of a simple and absolute majority of the affected farm workers, if any, shall first be obtained.”

SEC. 6. There shall be incorporated after Section 73 of Republic Act No. 6657 a new section to read as follows:

“SEC. 73-A. *Exception.* –The provisions of Section 73, paragraph (E), to the contrary notwithstanding, the sale and/or transfer of agricultural land in cases where such sale, transfer or conveyance is made necessary as a result of a bank’s foreclosure of the mortgaged land is hereby permitted.”

SEC. 7. *Separability Clause.* – If, for any reason, any section or provision of this Act is declared null and void, no other section, provision or part thereof shall be affected and the same shall remain in full force and effect.

SEC. 8 *Effectivity Clause.* – This Act shall take effect fifteen (15) days after its publication in at least two (2) newspapers of general circulation.

Approved, February 20, 1995.

H. No. 9288

S. No. 1311

REPUBLIC ACT NO. 7900

AN ACT TO PROMOTE THE PRODUCTION, PROCESSING, MARKETING, AND DISTRIBUTION OF HIGH-VALUE CROPS, PROVIDING FUNDS THEREFOR, AND FOR OTHER PURPOSES

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

SECTION 1. *Title.* – This Act shall be known as the “High-Value Crops Development Act of 1995.”

SEC. 2. *Declaration of Policy.* – It is hereby declared the policy of the State to accelerate the growth and development of agriculture in general, enhance productivity and incomes of farmers and the rural population, improve investment climate, competencies and efficiency of agribusiness and develop high-value crops as export crops that will significantly augment the foreign exchange earnings of the country, through an all-out promotion of the production, processing, marketing, and distribution of high-value crops in suitable areas of the country.

The State shall be guided by the principles that land has a social function and that land ownership has a social responsibility. As such, owners and lessees of agricultural land, being stewards, have the obligation to cultivate the lands they own or lease and make the land economically productive on a sustainable and environmentally friendly manner. The State has the right to expropriate lands not utilized for the benefit of the community and the country as a whole.

The State shall effect an efficient use of land and other productive resources with due regard to ecological balance and environmental protection, rural development, equity consideration,

mobilization of human resources, and increased agro-industrial production for the alleviation of poverty and sustainable growth objectives.

SEC. 3. *Scope of Application.* – This Act shall cover upland dwellers as well as lowland tenants, indigenous and cultural communities, Comprehensive Agrarian Reform Program (CARP) beneficiaries, upland farm owners, farmers, farmers’ organizations/associations/cooperatives, community associations and farmworkers, and to the extent herein provided, the departments, offices, agencies, subdivisions, branches or instrumentalities in the areas identified by the Department of Agriculture as key commercial crop production areas.

SEC. 4. *Definition of Terms.* – For purposes of this Act, the term:

(a) “Non-traditional crops”- refer to crops other than rice, corn, coconut, and sugar.

(b) “High-value crops (HVC)”- these are crops other than traditional crops which include, but are not limited to: coffee and cacao, fruit crops (citrus, cashew, *guyabano*, *papaya*, mango, pineapple, strawberry, jackfruit, *rambutan*, *durian*, mangosteen, guava, *lanzones*, and watermelon), root crops (potato and *ubi*), vegetable crops (asparagus, broccoli, cabbage, celery, carrots, cauliflower, radish, tomato, bell pepper, and *patola*), legumes, pole *sitao* (snap beans and garden pea), spices and condiments (black pepper, garlic, ginger, and onion), and cutflower and ornamental foliage plants (chrysanthemum, gladiolus, anthuriums, orchids, and statice).

(c) “Idle and abandoned land” - refers to any agricultural land not cultivated, titled or developed to produce any crop nor devoted to any specific economic purpose continuously for a period of three (3) years immediately prior to the receipt of notice of acquisition by the government as provided under the CARP.

(d) “Alienable and disposable lands” - refer to those lands of the public domain which have been the subject of the present system of classification and declared as not needed for forest purposes.

(e) “Forest land” - refers to the lands of the public domain which have not been declared as alienable or disposable, public forests, permanent forests or forest reserves, forest reservations, timberlands, grazing lands, game refuge, and bird sanctuaries.

SEC. 5. *Site Identification.* – The Department of Agrarian Reform and the Department of Agriculture, in coordination with the Department of Environment and Natural Resources, and the municipal government concerned, shall identify the broad areas suitable for high-value crops production, within six (6) months after the effectivity of this Act: *Provided*, That such site identification shall be reviewed at appropriate intervals to ensure consistency with the agrarian reform program and the national land use policy.

SEC. 6. *Tenurial Arrangement.* – Farmer cooperatives may lease the land for a period of twenty-five (25) years, renewable for another twenty-five (25) years, and not to exceed one thousand hectares (1,000 has.) in area.

SEC. 7. *Farm Model.* – For the program, farmers may adopt the cooperative system in putting up economically-sized farms for high-value crop farming. Farmer members shall collectively manage individual farms which includes contracting process and means of production; planning and coordinating crop varieties; and raising breed, hectarage, distribution and some production measures with reference to the market it shall serve. Said farm models may be replicated by farmers’ organizations all over the country.

SEC. 8. *High-Value Crops Development Fund (HVCDF).* – For the purpose of providing the funding requirements of the production, marketing, and processing of high-value crops, and the establishment of low-cost credit to qualified project proponents, there is hereby created a High-Value Crops Development Fund (HVCDF), with an initial amount of One billion pesos (P1,000,000,000). The HVCDF

shall be sourced from the Comprehensive Agricultural Loan Fund (CALF) and shall be managed by the Land Bank of the Philippines (LBP) and the Development Bank of the Philippines (DBP). Other sources of funds, including but not limited to borrowings from local and international financial institutions, shall also be considered to further support the program: *Provided*, That sixty percent (60%) of the HVCDF shall be utilized for direct lending to high-value crop producers while the remaining forty percent (40%) shall be allocated by the Department of Agriculture to guarantee loans granted by private financial institutions toward high-value crop production through existing guarantee institutions. The Department of Agriculture, which is directly responsible for the management of the HVCDF, is hereby authorized to designate the Land Bank of the Philippines and the Development Bank of the Philippines to manage the direct lending operations of the sixty percent (60%) portion of the HVCDF through LBP and DBP facilities or their conduits.

All financial institutions, whether public or private, shall be tapped to support the program. Participating banks are hereby exempted from the compliance requirement of Presidential Decree No. 717: *Provided*, That they shall lend a minimum of five percent (5%) of their loanable funds without alternative compliance directly to farmers' associations or cooperatives.

Other sources of funds, including but not limited to borrowings from local and international financial institutions, shall also be considered to further support the program.

SEC.9. *Incentives.* – The proponents of the program shall be entitled to the following incentives:

(a) Crop insurance - the insurance program of the Philippine Crop Insurance Corporation (PCIC) shall be expanded to cover high-value crops. The premium rates shall be set not on the basis of the performance of previous programs specifically on rice and corn;

(b) Credit assistance – the HVCDF shall be loaned out to farmers' organizations/associations/cooperatives composed of, but

not limited to, CARP beneficiaries, subject to the prevailing Land Bank interest rates;

(c) Credit guarantee - to enhance the bankability of projects, a credit guarantee cover shall be extended by the Quedan and Rural Credit Guarantee Corporation (QUEDANCOR) which shall thereby be provided with a commensurate guarantee fund, in the form of equity, out of the HVCDF;

(d) Grace period on lease of government lands payments-project proponents shall effect payment on the lease not earlier than two (2) years after the lease agreement is signed and approved. The grace period shall be determined by the gestation periods of the crops;

(e) Tax exemption - project proponents as defined in Section 7 of this Act shall be entitled to the following tax exemptions:

(1) Exemptions from taxes and duties subject to the provisions of Article 62 of Republic Act No. 6938 or the Cooperative Code of the Philippines;

(2) Exemption from the value-added tax in accordance with Section 103 of the National Internal Revenue Code, as amended; and

(3) Exemption from taxes, fees and charges under Title One of Book Two of the Local Government Code of 1991 in accordance with Section 133(n) of the said Code.

(f) Market linkage - the Department of Agriculture, in coordination with the Department of Trade and Industry, shall link-up agribusiness cooperatives directly with consumers cooperatives, agro-processing companies, or exporters to provide marketing outlets and assure relatively higher and stable prices. Agro-processing firms buying directly from project proponents shall be granted tax rebates.

To ensure health and proper trading, the agribusiness development group of the Department of Agriculture shall establish and enforce standards in grading, sampling and inspection, tests and analysis, specifications, nomenclature, units of measurement, code of practice and packaging, preservation, conservation and transportation of high-value crops.

(g) Technical and infrastructure support – technical support on research and extension, infrastructure development, financial and market information shall be provided by the Department of Agriculture, Department of Trade and Industry, Department of Science and Technology, Cooperative Development Authority, state universities and colleges and other relevant government agencies;

(h) Post-harvest facilities - access to post-harvest facilities, storage and distribution/transport facilities of existing government agencies shall be facilitated. Assistance shall be given to qualified and viable farmers/growers cooperatives in the availment of soft loans or grants for the construction of post-harvest, processing and storage facilities. Guidelines for the eventual transfer of ownership of these facilities to the proponent shall be formulated by the Department of Agriculture;

(i) Good seeds and planting materials - the Department of Agriculture, in coordination with the state universities and colleges, the Department of Trade and Industry, and farmers organizations shall make good seeds and planting materials readily available to farmers/farmers' cooperatives to ensure high yield and good quality produce.

However, the project proponents may be allowed to import, free of duties, high quality seeds/planting materials subject to quarantine laws and Section 15 of Republic Act No. 7083 or the Seed Industry Development Act of 1992; and

(j) Fiscal incentives - the same fiscal incentives granted by the Board of Investments shall be automatically granted to project proponents.

SEC. 10. *Inter-agency Committee.* – A committee, composed of representatives from the Department of Agriculture, the Department of Agrarian Reform, the Bangko Sentral ng Pilipinas, the Land Bank of the Philippines, the Development Bank of the Philippines, the Cooperative Development Authority, the Department of Science and Technology, the Department of Trade and Industry, the Department of Environment and Natural Resources, and the Department of the Interior and Local Government and one (1) each from the small farmers and commercial producers sectors to be designated by the Secretary of Agriculture, shall formulate and prescribe, after public hearing and publication as required by law, the implementing rules and regulations in order to carry out the provisions of this Act. The representatives from the Department of Agriculture and the Department of Trade and Industry shall be the chairman and the vice-chairman, respectively, of the committee.

The Secretary of the Department of Agriculture shall report to both Houses of Congress on the status of the High-Value Crops Development Program biannually.

SEC. 11. *Agribusiness Development Group.* – The agribusiness development group of the Department of Agriculture shall be strengthened to implement, coordinate and monitor the program based on the rules and regulations set forth by the inter-agency committee. Aside from its usual functions, it shall be tasked to perform the following functions:

(a) Assist in the formulation of general and specific policies for the development of high-value crops;

(b) Setup the appropriate system to monitor the utilization of the HVCDF and shall furnish the Bangko Sentral ng Pilipinas regular reports on the financial institutions' compliance to the program;

(c) Extend assistance in marketing and distribution of high-value crops through monitoring and dissemination of market

information, including identification of the local supply-demand situation, domestic market matching and overseas market intelligence and promotion activities on high-value crops;

(d) Enjoin the Department of Transportation and Communications to effect a more efficient, regular, adequate, suitable, and economical means of transporting and/or shipping of high-value crops, for purposes of reducing marketing costs and ensuring stable consumer supply;

(e) Encourage the establishment of wholesale markets in identified major centers of the country: *Provided*, That agricultural produce collection centers may also be established in areas where feasible, which may also serve as buying stations of farm products, packaging houses, pick-up points and meeting places of farmers'/ growers' cooperatives;

(f) Establish linkages with various government and private research institutions for the conduct of studies and researches designed to promote the production, marketing, and processing of high-value crops;

(g) Conduct farmers' training programs primarily aimed at increasing their knowledge on production technologies and on market potentials and prospects for various types of high-value crops, through the DA-Agricultural Training Institute (ATI), the DTI or the LGU's technicians or by contracting agriculturists and marketing specialists from private or academic institutions;

(h) Establish experimental stations and seed farms for the development of varieties suitable to the agro-climatic conditions of the area and markets that will provide greatest value added to high-value crops; and

(i) Devise and maintain a system for regularly obtaining information on current and future production, their prices and movement in trade, to determine and effect a balanced distribution

of high-value crops by means of inter-trading or intra-trading among the established wholesale markets.

Such amount as may be needed for the initial operating expenses of the group shall be charged to any available funds in the appropriation for current operating expenditures of the Department of Agriculture. Thereafter, the amount necessary for its operations shall be included in the annual General Appropriations Act.

SEC. 12. *Repealing Clause.* – All laws or parts thereof, decrees, orders, rules and regulations inconsistent with the provisions of this Act are hereby repealed or modified accordingly: *Provided, however,* That nothing in this Act shall be construed or applied as amending the CARL and other laws on agrarian reform.

SEC. 13. *Separability Clause.* – If any of the provisions of this Act is declared invalid, the other provisions not affected thereby shall remain in full force and effect.

SEC. 14. *Effectivity Clause.* – This Act shall take effect immediately following its publication in a newspaper of general circulation or in the *Official Gazette*, whichever comes first.

Approved, February 23, 1995.

RA 7900 (sec. 8, par. 2) was repealed by RA 10000.

S. No. 2019
H. No. 13785

REPUBLIC ACT NO. 7905

AN ACT TO STRENGTHEN THE IMPLEMENTATION OF THE COMPREHENSIVE AGRARIAN REFORM PROGRAM, AND FOR OTHER PURPOSES

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

SECTION 1. Section 35 of Republic Act No. 6657, otherwise known as the “Comprehensive Agrarian Reform Law of 1988,” is hereby amended to read as follows:

“SEC. 35. *Creation of Support Services Office.* – There is hereby created the Office of Support Services under the DAR to be headed by an Undersecretary.

“The Office shall provide general support and coordinative services in the implementation of the program, particularly in carrying out the provisions of the following services to farmer beneficiaries and affected landowners:

“1) Irrigation facilities, especially second crop or dry season irrigation facilities;

“2) Infrastructure development and public works projects in areas and settlements that come under agrarian reform, and for this purpose, the preparation of the physical development plan of such settlements providing suitable barangay sites, potable water and power resources, irrigation systems, seeds and seedling banks, post harvest facilities, and other facilities for a sound agricultural development plan. For the purpose of providing the aforementioned infrastructure and facilities, the DAR is authorized to enter into contracts with

interested private parties on long term basis or through joint-venture agreements or build-operate-transfer scheme:

“3) Government subsidies for the use of irrigation facilities;

“4) Price support and guarantee for all agricultural produce;

“5) Extending to small landowners, farmers and farmers’ organizations the necessary credit, like concessional and collateral-free loans, for agro-industrialization based on social collaterals like the guarantees of farmers’ organizations;

“6) Promoting, developing and extending financial assistance to small and medium-scale industries in agrarian reform areas;

“7) Assigning sufficient numbers of agricultural extension workers to farmers organizations;

“8) Undertake research, development and dissemination of information on agrarian reform, plants and crops best suited for cultivation and marketing, and low-cost and ecologically sound farm inputs and technologies to minimize reliance on expensive and imported agricultural inputs;

“9) Development of cooperative management skills through intensive training;

“10) Assistance in the identification of ready markets for agricultural produce and training in the other various aspects of marketing;

“11) Conduct an effective information dissemination system through the Department of Agriculture to promote marketing and minimize spoilage of agricultural produce and products;

“12) Create a credit guarantee fund for agricultural landowners that will enhance the collateral value of agricultural lands that are affected or will be affected by coverage under the agrarian reform program; and

“13) Administration, operation, management and funding of support services programs and projects including pilot projects and models related to agrarian reform as developed by the DAR.”

SEC.2. Section 36 of the same law is hereby amended to read as follows:

“SEC. 36. *Funding for Support Services.* – In order to cover the expenses and cost of support services, at least twenty-five percent (25%) of all appropriations for agrarian reform shall be immediately set aside and made available for this purpose: *Provided*, That for the next five (5) years, a minimum of one (1) Agrarian Reform Community (ARC) shall be established by the DAR, in coordination with the local government units, non- governmental organizations and people organizations in each legislative district with a predominant agricultural population: *Provided, further*, That the areas in which the ARCs are to be established shall have been fully subjected under this law.

“For this purpose, an Agrarian Reform Community shall be defined as a barangay or a cluster of barangays primarily composed and managed by Agrarian Reform Beneficiaries who shall be willing to be organized and undertake the integrated development of an area and/or their organizations/ cooperative. In each community, the DAR, together with the agencies and organizations abovementioned, shall identify the farmers association, cooperative or their respective federation approved by the farmers-beneficiaries that shall take the lead in the agricultural development of the area. In addition, the DAR shall be authorized to package proposals and receive

grants, aid and other forms of financial assistance from any source.”

SEC.3. Section 44 of the same law is hereby amended as follows:

“SEC. 44. *Provincial Agrarian Reform Coordinating Committee (PARCCOM)*. – A Provincial Agrarian Reform Coordinating Committee is hereby created in each province, composed of a Chairman, who shall be appointed by the President upon the recommendation of the EXCOM, the Provincial Agrarian Reform Officer as Executive Officer, and one (1) representative each from the Departments of Agriculture, and of Environment and Natural Resources and from the LBP; one (1) representative each from existing farmers’ organizations, agricultural cooperatives and non-governmental organizations in the province; two (2) representatives from landowners, at least one (1) of whom shall be a producer representing the principal crop of the province, and two (2) representatives from farmers and farmworkers or beneficiaries, at least one (1) of whom shall be a farmer or farmworker representing the principal crop of the province, as members: *Provided*, That in areas where there are cultural communities, the latter shall likewise have one (1) representative.

“The PARCCOM shall coordinate and monitor the implementation of the CARP in the province. It shall provide information on the provisions of the CARP, guidelines issued by the PARC and on the progress of the CARP in the province; in addition, it shall:

“a) Recommend to the PARC the following:

“1) Market prices to be used in the determination of the profit sharing obligation of agricultural entities in the province;

“2) Adoption of the direct payment scheme between the

landowner and the farmer and/or farmworker beneficiary: *Provided*, That the amount and terms of payment are not more burdensome to the agrarian reform beneficiary than under the compulsory coverage provision of the CARL: *Provided, further*, That the agrarian reform beneficiary agrees to the amount and the terms of payment: *Provided, furthermore*, That the DAR shall act as mediator in cases of disagreement between the landowner and the farmer and/or farmworker beneficiary: *Provided, finally*, That the farmer and/or farmer beneficiary shall be eligible to borrow from the LBP an amount equal to eighty-five percent (85%) of the selling price of the land that they have acquired;

“3) Continuous processing of application for lease back arrangements, joint-venture agreements and other schemes that will optimize the operating size for agricultural production and also promote both security of tenure and security of income to farmer beneficiaries: *Provided*, That lease back arrangements should be the last resort.”

SEC.4. Section 45 of the same law is hereby amended to read as follows:

“SEC. 45. *Province-by-province Implementation.* – The PARC shall provide the guidelines for the province-by-province implementation of the CARP, taking into account the peculiarities and needs of each place, kind of crops needed or suited, land distribution workload, beneficiaries development activities and other factors prevalent or obtaining in the area. In all cases, the implementing agencies at the provincial level shall promote the development of identified ARCs without neglecting the needs and problems of other beneficiaries. The ten-year program of distribution of public and private land in each province shall be adjusted from year to year by the province’s PARCCOM in accordance with the level of operations previously established by the PARC, in every case ensuring that support services are available or have been programmed before actual distribution is effected.”

SEC.5. This Act shall take effect upon its approval.

Approved, February 23, 1995.

S. No. 1924

REPUBLIC ACT NO. 7907

AN ACT AMENDING REPUBLIC ACT NUMBERED THIRTY-EIGHT HUNDRED FORTY-FOUR, AS AMENDED, OTHERWISE KNOWN AS THE “CODE OF AGRARIAN REFORM IN THE PHILIPPINES

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

SECTION 1. Section 75 of Republic Act No. 3844, as amended, is hereby further amended by adding the following subsections to read as follows:

“(12) to act as an official government depository with full authority to maintain deposits of the government, its branches, subdivisions and instrumentalities, and of government-owned or controlled corporations which deposits shall be subject to liquidity floor and/or reserve requirements as may be imposed by the Monetary Board upon other commercial banks;

“(13) for the strengthening of the capital base of the bank, to establish a national marketing umbrella for farmers and fisheries cooperatives to attract massive capital formation from savings deposits of the cooperative members nationwide.”

The existing subsection 12 is hereby renumbered as subsection 14.

SEC. 2. Section 78 of the same Act is hereby further amended by adding a new paragraph thereto to read as follows.

“Apart from the foregoing which pertains to the twenty-five years bonds previously issued by the bank and pursuant to its role as the financial intermediary of the Comprehensive Agrarian Reform Program, mandated under Republic Act

No. 6657, the National Government through the Presidential Agrarian Reform Council (PARC), shall provide and/or allocate from the existing Agrarian Reform Fund or other unappropriated funds of the National Treasury an amount sufficient to pay all maturing bonds, debentures and all other obligations together with interest due thereon issued and/or incurred by the bank as compensation to the landowners including expenses related thereto. In the apportionment and distribution of funds from the Agrarian Reform Fund, the PARC shall give priority and preference to the payment of landowner compensation in the chronological sequence or order at which the voluntary offers of sale were made by the landowners.”

SEC. 3. Section 80 of the same Act is hereby further amended by adding a new subsection thereto to read as follows:

“(7) At least sixty percent (60%) of the proceeds of the sale of the stocks, securities and other assets of the government now under administration by the Asset Privatization Trust (APT) shall be transferred to the Land Bank of the Philippines for use in the payment of agricultural lands acquired pursuant to Presidential Decree No. 27 and Republic Act No. 6657.”

SEC. 4. Section 81 of the same Act is hereby amended to read as follows:

“Sec. 81. *Capital.* — The authorized capital stock of the Bank shall be nine billion pesos, divided into seven hundred and eighty million common shares with a par value of ten pesos each, which shall be fully subscribed by the Government, and one hundred and twenty million preferred shares with a par value of ten pesos each, which shall be issued in accordance with the provisions of Sections seventy-seven and eighty-three of this Code. These preferred shares shall be non-voting. The Board, upon the recommendation of the Secretary of Finance and with the approval of the President of the Philippines, may increase the capitalization of the Bank up to such an amount

as may be necessary to attain the objectives of this Act. The total capital stock subscribed by the Government shall be paid by the Agrarian Reform Fund Commission created under Presidential Decree No. 85, hereinafter referred to as the “Commission,” as follows: four hundred million pesos within sixty (60) days from the approval of this Decree, and at least one hundred million pesos every year thereafter until the total subscription of the Government is fully paid: *Provided*, That the common and preferred shares of the Bank which have been issued, including those already subscribed, shall form part of the increased capitalization of the Bank: *Provided, further*, That the additional common shares subscribed by the Government shall be paid by the bank through its banking operations in an amount equivalent to at least ten percent (10%) of its annual net income or any form of retained earnings until fully paid: *Provided, finally*, That the dividends due the Government shall first be paid”.

SEC. 5. Sec. 86 of the same Act relating to the membership of its Board of Directors, as amended, is hereby further amended to read as follows:

“Sec. 86. *The Board of Directors; Membership; Per Diem.* — The affairs and business of the Bank shall be directed and its property managed and preserved by a Board of Directors consisting of nine (9) members to be composed of the Secretary of Finance, as Chairman, the President of the Bank as Vice-Chairman, the Secretary of Agrarian Reform, the Secretary of Labor, and the Secretary of Agriculture as *ex officio* members. The President of the Philippines shall appoint two (2) members of the Board who shall represent the agrarian reform beneficiaries and two (2) members who shall represent the private sector. The two (2) remaining members shall be elected from the shareholders coming from the public sector to the extent that they may be entitled to two (2) seats in proportion to the outstanding capital stock.

“Annually, on the first Tuesday after the first Monday in December, the stockholders shall meet to take up, among others, the election of two (2) members of the Board of Directors for the succeeding year. Each shareholder or proxy shall be entitled to as many votes as he may have shares of stock registered in his name on the 31st day of October last preceding and held by him at the time of the election. The two (2) members of the Board of Directors shall be elected preferably from the holders of the preferred shares on the basis of the outstanding amount of shares as follows:

“(a) Not exceeding P100 M - one member

“(b) Exceeding P100 M - two members

“The appointive members of the Board shall hold a term of office for one (1) year and shall continue to hold office until their successor shall have been appointed and qualified. The Board shall convene as often as necessary to discharge its responsibilities properly, but shall meet at least once every two (2) weeks. The Board may be convoked either by the chairman or in his absence, the Vice-Chairman.

“The majority of the Board members shall constitute a quorum. All decisions of the Board shall require the concurrence of at least a majority.

“No person shall be elected or appointed director of the Bank unless he is natural born citizen of the Philippines, not less than thirty-five (35) years of age, of good moral character, and has attained proficiency, expertise and recognized competence in one or more of the following: banking, finance, economics, law, agriculture, agrarian reform, business management: *Provided, further*, That no director, shareholder or employee of any other bank shall be eligible for election or appointment as member of the Board of Directors of the Bank.

“The chairman and the members of the Board shall receive a *per diem* of One thousand five hundred pesos (P1,500) for each session of the Board attended but in no case not to exceed Seven thousand five hundred pesos (P7,500) a month.”

SEC. 6. Section 86-A of the same Act relating to the powers and responsibilities of the Board is hereby amended by, adding subsection 6 which reads as follows:

“6. To compromise or release, in whole or in part, any claim or liability whatsoever for or against the bank, including interest, penalties, fees and/or other charges, under such terms and conditions as the board may find acceptable and practicable subject to their best business judgment and to the best interest of the corporation in accord with standard banking practices.”

SEC. 7. A new Section 86-B is hereby added to read as follows:

“Section 86-b foreclosure of collaterals and disposal of bank acquired properties —

“1. *Foreclosure of Mortgage Collaterals* — Foreclosure of mortgage collaterals to loans may be made either judicially or extrajudicially.

“2. *Deputization of Legal Staff* — The bank may, with the approval of the court, deputize any member of its legal staff to act as special sheriff in foreclosure cases, in the sale or attachment of debtor’s properties and in the enforcement of court writs and processes in cases involving the bank. The Special Sheriff of the bank shall make a report to the proper court after any action has been taken by him, which court shall treat such actions as if it were an act of its own sheriffs in all respect.

“3. *Disposal of Real Estate and Other Properties in the Collection of Debt* - Real estate and other properties acquired by the bank in the collection of debts or investment by way of foreclosure or other means shall be sold or disposed of in accordance with law, within five (5) years after date of acquisition. The sale or disposal shall be effected through public bidding, in accordance with law.

“4. *Exemption from Attachment* — The provisions of any law to the contrary notwithstanding, securities on loans and/or other credit accommodations granted by the bank shall not be subject to attachment, execution to any other court process, nor shall they be included in the property of insolvent persons or institutions, unless all debts and obligations of the debtors to the bank have been paid, including accrued interest, penalties, collection expenses, and other charges.

“5. *Right of Redemption of Foreclosed Property; Right of Possession during Redemption Period* - Within one (1) year from the registration of the foreclosure sale of real estate, the mortgagor shall have the right to redeem the property by paying all claims of the bank against him on the date of the sale including all the cost and other expenses incurred by reason of the foreclosure sale and custody of the property, as well as charges and accrued interest. The bank may take possession of the foreclosed property during the redemption period. The bank shall be eligible to post a bond for the purpose of such possession.”

SEC. 8. Section 87 of the same Act is hereby amended to read as follows:

“Section 87. *Executive Officers: Compensation.* — The Chief Executive of the Bank shall be the president, who shall be chosen and may be removed by the Board of Directors with the advice and consent of the President of the Philippines. His salary shall be fixed by the Board of Directors with the approval of the President of the Philippines. The President

shall be assisted by Vice-Presidents as may be required, whose appointments and removal shall be approved and whose salaries shall be fixed in accordance with Section 90 hereof by the Board of Directors upon recommendation of the President of the Bank.”

SEC. 9. Section 88 of the same Act prescribing the qualifications of Executive Officers is also hereby amended to read as follows:

“No person shall be appointed to any executive position in the Bank mentioned in the preceding section unless he be of good moral character and of unquestionable integrity and responsibility, and who is of recognized competence in the field of economics, agriculture, industry, law, banking and/or finance, and possessed of demonstrated administrative skill and ability.”

SEC. 10. Section 90 of the same Act is hereby amended to read as follows:

“Section 90. *Personnel.* — The Board of Directors shall provide for an organization and staff of officers and employees of the Bank and upon recommendation of the President of the Bank, appoint and fix their remunerations and other emoluments, and remove such officers and employees: *Provided,* That the Board shall have exclusive and final authority to promote, transfer, assign or reassign personnel of the Bank, any provisions of existing law to the contrary notwithstanding.

“All positions in the Bank shall be governed by a compensation, position classification system and qualification standards approved by the Bank’s Board of Directors based on a comprehensive job analysis and audit of actual duties and responsibilities. The compensation plan shall be comparable with the prevailing compensation plans in the private sector and shall be subject to periodic review by the Board no more than once every two (2) years without prejudice to yearly merit reviews or increases based on productivity and profitability.

The Bank shall therefore be exempt from existing laws, rules and regulations on compensation, position classification and qualification standards. It shall however endeavor to make its system conform as closely as possible with the principles under Republic Act No. 6758.

“The Bank officers and employees, including all members of the Board, shall not engage directly or indirectly in partisan activities or take part in any election except to vote.

“No officer or employee of the Bank subject to the Civil Service Law and Regulations shall be removed or suspended except for cause as provided by law.”

SEC. 11. *Separability Clause.* — If any provision or part hereof is held invalid, the other provisions not affected thereby shall remain and continue in full force and effect.

SEC. 12. *Repealing Clause.* — All laws, executive orders, rules and regulations or parts thereof inconsistent with any provision hereof are hereby repealed or modified accordingly.

SEC. 13. *Effectivity.* — This Act shall take effect upon its approval.

Approved, February 23, 1995.

S. No. 1157
H. No. 5201

REPUBLIC ACT NO. 8175

AN ACT FURTHER AMENDING PRESIDENTIAL DECREE NO. 1467, AS AMENDED, OTHERWISE KNOWN AS THE CHARTER OF THE PHILIPPINE CROP INSURANCE CORPORATION (PCIC), IN ORDER TO MAKE THE CROP INSURANCE SYSTEM MORE STABLE AND MORE BENEFICIAL TO THE FARMERS COVERED THEREBY AND FOR THE NATIONAL ECONOMY

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

SECTION 1. *Title.* – This Act shall be known as the “Revised Charter of the Philippine Crop Insurance Corporation Act of 1995.”

XXX XXX XXX

SEC. 5. Section 5 of the Presidential Decree No. 1467, as amended, is hereby further amended, to read as follows:

“SEC. 5. *Rate of Premium and Its Sharing.* – The rate of premium, as well as the allocated sharing thereof by the farmers, the lending institutions, the Government of the Republic of the Philippines (herein called the Government) and other parties, shall be determined by the Board of Directors of the Corporation: *Provided*, That the share of the Government in the premium cost, in the form of premium subsidy, shall be limited to subsistence farmers: *Provided, however*, That each of these subsistence farmers is cultivating not more than seven (7) hectares by themselves or with the help of the labor of the members of their households or hired labor, the premium rate and sharing to be determined by the Board of Directors subject to approval by the President of the Philippines: *Provided, further*, That the premium share of the subsistence farmer shall be reasonably affordable by him: *Provided*,

furthermore, That the Government shall share in the premium cost only in insurance coverage against unforeseen and unavoidable risks such as, but not limited to typhoons, droughts, outbreaks of pests and diseases: *Provided, finally*, That premium subsidy and/or insurance benefits shall, upon the accumulation of surplus funds, be increased to such amount as may be determined by the Board, taking into consideration that the Corporation has been established not only for profit but mainly to help the insured in their direst hours of need.”

SEC. 6. Section 6 of Presidential Decree No. 1467, as amended, is hereby amended by adding three (3) new paragraphs to be designated as subsections 6.3, 6.4 and 6.5 to read as follows:

“6.3. Unappropriated and/or unreleased government premium subsidy for policies written for the period from May 1, 1981 up to the approval of this Act computed on the basis of premium rates and sharing previously approved by the President as authorized by law shall be programmed for payment by the Government within a period of ten (10) years from the approval of this Act, and the yearly sums shall be included in the budgetary appropriations for submission to Congress, starting the fiscal year following approval hereof, in addition to the premium subsidy requirement for the year involved.

“6.4. Calamity funds earmarked by the Government shall include a certain percentage for crop insurance and shall be released to and administered by the Corporation.

“6.5. Ten percent (10%) of the net earnings of the Philippine Charity Sweepstakes Office (PCSO) from its lotto operation shall be earmarked for the Crop Insurance Program and said amount shall be directly remitted by the PCSO to the Corporation every six (6) months until the amount of government subscription is fully paid.”

XXX XXX XXX

SEC. 18. *Separability Clause.* – If any provision or part hereof is held unconstitutional or invalid, the remainder of the law, or the provisions not otherwise affected shall remain valid and subsisting.

SEC. 19. *Repealing Clause.* – Any provision of Presidential Decree No. 1467, as amended, and all other laws inconsistent herewith is hereby repealed or modified accordingly.

SEC. 20. *Effectivity.* – This Act shall take effect fifteen (15) days after its complete publication in at least two (2) newspapers of general circulation.

Approved, December 29, 1995.

H. No. 9360

S. No. 1731

Republic of the Philippines
CONGRESS OF THE PHILIPPINES
Metro Manila

Tenth Congress
Third Regular Session

Begun and held in Metro Manila, on Monday, the twenty-eighth day of July, nineteen hundred and ninety-seven.

REPUBLIC ACT NO. 8425

AN ACT INSTITUTIONALIZING THE SOCIAL REFORM AND POVERTY ALLEVIATION PROGRAM, CREATING FOR THE PURPOSE THE NATIONAL ANTI-POVERTY COMMISSION, DEFINING ITS POWERS AND FUNCTIONS, AND FOR OTHER PURPOSES

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

SECTION 1. *Title.* – This Act shall be known as the “Social Reform and Poverty Alleviation Act.”

SEC. 2. *Declaration of Policy.*—It is the policy of the State to:

(1) Adopt an area-based, sectoral and focused intervention to poverty alleviation wherein every poor Filipino family shall be empowered to meet its minimum basic needs of health, food and nutrition, water and environmental sanitation, income security, shelter and decent housing, peace and order, education and functional literacy, participation in governance, and family care and psycho-social integrity;

(2) Actively pursue asset reform or redistribution of productive economic resources to the basic sectors including the adoption of a system of public spending which is targeted towards the poor;

(3) Institutionalize and enhance the Social Reform Agenda, hereinafter known as the SRA, which embodies the results of the series of consultations and summits on poverty alleviation;

(4) Adopt and operationalize the following principles and strategies as constituting the national framework integrating various structural reforms and anti-poverty initiatives:

(a) Social reform shall be a continuing process that addresses the basic inequities in Philippine society through a systematic package of social interventions;

(b) The SRA shall be enhanced by government in equal partnership with the different basic sectors through appropriate and meaningful consultations and participation in governance;

(c) Policy, programs and resource commitments from both government and the basic sectors shall be clearly defined to ensure accountability and transparency in the implementation of the Social Reform Agenda;

(d) A policy environment conducive to sustainable social reform shall be pursued;

(e) The SRA shall address the fight against poverty through a multi-dimensional and cross-sectoral approach which recognizes and respects the core values, cultural integrity, and spiritual diversity of target sectors and communities;

(f) The SRA shall pursue a gender-responsive approach to fight poverty;

(g) The SRA shall promote ecological balance in the different ecosystems, in a way that gives the basic sectors a major stake in

the use, management, conservation and protection of productive resources;

(h) The SRA shall take into account the principle and interrelationship of population and development in the planning and implementation of social reform programs thereby promoting self-help and self-reliance; and,

(i) The SRA implementation shall be focused on specific target areas and basic sectors.

SEC. 3. *Definition of Terms.* – As used in this Act, the following terms shall mean:

(a) “Artisanal fisherfolk”- Refers to municipal, small scale or subsistence fishermen who use fishing gear which do not require boats or which only require boats below three (3) tons;

(b) “Basic sectors”- Refer to the disadvantaged sectors of Philippine society, namely: farmer-peasant, artisanal fisherfolk, workers in the formal sector and migrant workers, workers in the informal sector, indigenous peoples and cultural communities, women, differently-abled persons, senior citizens, victims of calamities and disasters, youth and students, children, and urban poor;

(c) “Cooperative” - Refers to a duly registered association of at least fifteen (15) persons, majority of which are poor, having a common bond of interest, who voluntarily join together to achieve a lawful common social and economic end. It is organized by the members who equitably contribute the required share capital and accept a fair share of the risks and benefits of their undertaking in accordance with the universally accepted corporate principles and practices;

(d) “Capability building”-Refers to the process of enhancing the viability and sustainability of microfinance institutions through activities that include training in microfinance technologies,

upgrading of accounting and auditing systems, technical assistance for the installation or improvement of management information systems, monitoring of loans and other related activities. The term capability building shall in no way refer to the provision of equity investments, seed funding, partnership’s seed funds, equity participation, start-up funds or any such activity that connotes the infusion of capital or funds from the government or from the people’s development trust fund to microfinance institution as defined in this Act. Capability building precludes the grant of any loan or equity funds to the microfinance institution;

(e) “Collateral-free arrangement” - A financial arrangement wherein a loan is contracted by the debtor without the conventional loan security of a real estate or chattel mortgage in favor of the creditor. In lieu of these conventional securities, alternative arrangements to secure the loans and ensure repayment are offered and accepted;

(f) “Group character loan” - A loan contracted by a member and guaranteed by a group of persons for its repayment. The creditor can collect from any of the members of the group which guaranteed the said loan, without prejudice to the right of reimbursement of the member or members of the group who had advanced the payment in favor of the actual debtor;

(g) “Indigenous cultural communities/indigenous peoples” - As defined in Republic Act No. 8371, otherwise known as “The Indigenous Peoples Rights Act of 1997”;

(h) “Migrant workers”-AsdefinedinRepublicActNo.8042, otherwise known as the “Migrant Workers and Overseas Filipino Act of 1995”;

(i) “Micro-enterprise” - Any economic enterprise with a capital of One hundred fifty thousand pesos (P150,000) and below. This amount is subject to periodic determination of the Department of Trade and Industry to reflect economic changes;

(j) “Microfinance” - A credit and savings mobilization program exclusively for the poor to improve the asset base of households and expand the access to savings of the poor. It involves the use of viable alternative credit schemes and savings programs including the extension of small loans, simplified loan application procedures, group character loans, collateral-free arrangements, alternative loan repayments, minimum requirements for savings, and small denominated savers’ instruments;

(k) “Minimum basic needs”-Refer to the needs of a Filipino family pertaining to survival (food and nutrition; health; water and sanitation; clothing), security (shelter; peace and order; public safety; income and livelihood) and enabling (basic education and literacy; participation in community development; family and psycho-social care);

(l) “Human development index” - Refers to the measure of how well a country has performed, based on social indicators of people’s ability to lead a long and healthy life, to acquire knowledge and skills, and to have access to the resources needed to afford a decent standard of living. This index looks at a minimum of three outcomes of development: the state of health (measured by life expectancy at birth), the level of knowledge and skill (measured by a weighted average of adult literacy and enrollment rates), and the level of real income per capita, adjusted for poverty considerations;

(m) “Nongovernment organizations” - Refer to duly registered nonstock, nonprofit organizations focusing on the upliftment of the basic or disadvantaged sectors of society by providing advocacy, training, community organizing, research, access to resources, and other similar activities;

(n) “People’s organization” - Refers to a self-help group belonging to the basic sectors and/or disadvantaged groups composed of members having a common bond of interest who voluntarily join together to achieve a lawful common social or economic end;

(o) “Poor” - Refers to individuals and families whose income fall below the poverty threshold as defined by the National Economic and Development Authority and/or cannot afford in a sustained manner to provide their minimum basic needs of food, health, education, housing and other essential amenities of life;

(p) “Poverty alleviation”-Refers to the reduction of absolute poverty and relative poverty;

(q) “Absolute poverty” - Refers to the condition of the household below the food threshold level;

(r) “Relative poverty” - Refers to the gap between the rich and the poor;

(s) “Social reform” - Refers to the continuing process of addressing the basic inequities in Filipino society through a systematic, unified and coordinated delivery of socioeconomic programs or packages;

(t) “Small Savers Instrument (SSI)” - Refers to an evidence of indebtedness of the Government of the Republic of the Philippines which shall be in small denominations and sold at a discount from its redemption value, payable to bearer and redeemable on demand according to a schedule printed on the instrument, with a discount lower than the full stated rate if not held to maturity. The resources generated under this scheme shall be used primarily for micro-credit for the poor. SSIs are not eligible as legal reserve of banks and legal reserves prescribed of insurance companies operating in the Philippines;

(u) “Urban poor” - Refers to individuals or families residing in urban centers and urbanizing areas whose income or combined household income falls below the poverty threshold as defined by the National Economic and Development Authority and/or cannot afford in a sustained manner to provide their minimum basic needs of food, health, education, housing and other essential amenities of life;

(v) “Workers in the formal sector”-Refers to workers in registered business enterprises who sell their services in exchange for wages and other forms of compensation;

(w) “Workers in the informal sector” - Refers to poor individuals who operate businesses that are very small in scale and are not registered with any national government agency, and to the workers in such enterprises who sell their services in exchange for subsistence level wages or other forms of compensation; and

(x) “Youth”-Refers to persons fifteen(15) to thirty (30) years old.

SEC.4. Adoption and Integration of Social Reform Agenda (SRA) in the National Anti-Poverty Action Agenda. – The National Anti-Poverty Action Agenda shall principally include the core principles and programs of the Social Reform Agenda (SRA). The SRA shall have a multi-dimensional approach to poverty consisting of the following reforms:

(1) Social dimension access to quality basic services.-These are reforms which refer to equitable control and access to social services and facilities such as education, health, housing, and other basic services which enable the citizens to meet their basic human needs and to live decent lives;

(2) Economic dimension asset reform and access to economic opportunities. - Reforms which address the existing inequities in the ownership, distribution, management and control over natural and man-made resources from which they earn a living or increase the fruits of their labor;

(3) Ecological dimension sustainable development of productive resources. - Reforms which ensure the effective and sustainable utilization of the natural and ecological resource base, thus assuring greater social acceptability and increased participation of the basic sectors in environmental and natural resources conservation, management and development;

(4) Governance dimension democratizing the decision- making and management processes. - Reforms which enable the basic sectors to effectively participate in decision-making and management processes that affect their rights, interests and welfare.

The SRA shall focus on the following sector-specific flagship programs:

(1) For farmers and landless rural workers-agricultural development;

(2) For the fisherfolk - fisheries and aquatic resources conservation, management and development;

(3) For the indigenous peoples and indigenous communities - respect, protection and management of the ancestral domains;

(4) For workers in the informal sector-workers' welfare and protection;

(5) For the urban poor-socialized housing; and

(6) For members of other disadvantaged groups such as the women, children, youth, persons with disabilities, the elderly, and victims of natural and man-made calamities - the Comprehensive Integrated Delivery of Social Services (CIDSS).

Additionally, to support the sectoral flagship programs, the following cross-sectoral flagships shall likewise be instituted:

(1) Institution-building and effective participation in governance;

(2) Livelihood programs;

(3) Expansion of micro-credit/microfinance services and capability building; and

(4) Infrastructure buildup and development.

TITLE I

NATIONAL ANTI-POVERTY COMMISSION

SEC. 5. *The National Anti-Poverty Commission.* – To support the above-stated policy, the National Anti-Poverty Commission, hereinafter referred to as the NAPC, is hereby created under the Office of the President, which shall serve as the coordinating and advisory body for the implementation of the SRA. The Presidential Commission to Fight Poverty (PCFP), the Social Reform Council (SRC), and the Presidential Council for Countryside Development (PCCD) are hereby abolished and the NAPC shall exercise the powers and functions of these agencies. The NAPC shall be the successor-in-interest of the three (3) abolished commissions and councils.

The creation and operationalization of the NAPC shall be guided by the following principles:

(1) Incorporation of the Social Reform Agenda into the formulation of development plans at the national, regional, sub-regional and local levels;

(2) Efficiency in the implementation of the anti-poverty programs by strengthening and/or streamlining present poverty alleviation processes and mechanisms, and reducing the duplication of functions and activities among various government agencies;

(3) Coordination and synchronization of social reform and poverty alleviation programs of national government agencies;

(4) Exercise of policy oversight responsibilities to ensure the attainment of social reform and poverty alleviation goals;

(5) Strengthening of local government units to more effectively operationalize the SRA in local development efforts;

(6) Institutionalization of basic sectoral and NGO participation in effective planning, decision-making, implementation, monitoring and evaluation of the SRA at all levels;

(7) Ensuring adequate, efficient and prompt delivery of basic services to the poor; and

(8) Enjoining government financial institutions to open credit and savings windows for the poor, and advocating the creation of such windows for the poor among private banking institutions.

SEC.6. *Composition of the NAPC.*—The President of the Republic of the Philippines shall serve as Chairperson of the NAPC. The President shall appoint the Lead Convenor of the NAPC, either from the government or private sector, who shall likewise serve as the head of the National Anti-Poverty Commission Secretariat, and shall have the rank of a Cabinet Secretary. There shall be a vice chairperson for the government sector and a vice chairperson for the basic sectors; the former to be designated by the President, and the latter to be elected among the basic sector representatives of the NAPC as vice chairperson for the basic sector; and the following as members:

- (1) Heads of the following government bodies:
 - (a) Department of Agrarian Reform (DAR);
 - (b) Department of Agriculture (DA);
 - (c) Department of Labor and Employment (DOLE);
 - (d) Department of Budget and Management (DBM);
 - (e) Department of Social Welfare and Development (DSWD);
 - (f) Department of Health (DOH);

(g) Department of Education, Culture and Sports (DECS);

(h) Department of the Interior and Local Government (DILG);

(i) Department of Environment and Natural Resources (DENR);

(j) Department of Finance (DOF);

(k) National Economic and Development Authority (NEDA);

(l) People's Credit and Finance Corporation (PCFC), subject to Section 17 of this Act; and

(m) Presidential Commission on Urban Poor (PCUP).

(2) Presidents of the Leagues of Local Government Units:

(a) League of Provinces;

(b) League of Cities;

(c) League of Municipalities; and

(d) Liga ng mga Barangay.

(3) Representatives from each of the following basic sectors:

(a) Farmers and landless rural workers;

(b) Artisanal fisherfolk;

- (c) Urban poor;
- (d) Indigenous cultural communities/indigenous peoples;
- (e) Workers in the formal sector and migrant workers;
- (f) Workers in the informal sector;
- (g) Women;
- (h) Youth and students;
- (i) Persons with disabilities;
- (j) Victims of disasters and calamities;
- (k) Senior citizens;
- (l) Nongovernment organizations (NGOs);
- (m) Children; and
- (n) Cooperatives.

Sectoral councils formed by and among the members of each sector shall respectively nominate three (3) nominees from each sector within six (6) months after the effectivity of the implementing rules and regulations of this Act, and every three (3) years thereafter and in case of vacancy. The President of the Republic of the Philippines shall, within thirty (30) days after the submission of the list of nominees, appoint the representatives from the submitted list. Sectoral representatives shall serve for a term of three (3) years without reappointment. Appointment to any vacancy for basic sector representatives shall be only for the unexpired term of the predecessor.

The implementing rules and regulations (IRR) of this Act shall contain the guidelines for the formation of sectoral councils, the nomination process, recall procedures and such other mechanisms to ensure accountability of the sectoral representatives.

SEC.7. *Powers and Functions.*— The NAPC shall exercise the following powers and functions:

(1) Coordinate with different national and local government agencies and the private sector to assure full implementation of all social reform and poverty alleviation programs;

(2) Coordinate with local government units in the formulation of social reform and poverty alleviation programs for their respective areas in conformity with the National Anti- Poverty Action Agenda;

(3) Recommend policy and other measures to ensure the responsive implementation of the commitments under the SRA;

(4) Ensure meaningful representation and active participation of the basic sectors;

(5) Oversee, monitor and recommend measures to ensure the effective formulation, implementation and evaluation of policies, programs and resource allocation and management of social reform and poverty alleviation programs;

(6) Advocate for the mobilization of funds by the national and local governments to finance social reform and poverty alleviation programs and capability building activities of people's organizations;

(7) Provide financial and non-financial incentives to local government units with counterpart resources for the implementation of social reform and poverty alleviation programs; and

(8) Submit an annual report to Congress including, but not limited to, all aspects of its operations and programs and project

implementation, financial status and other relevant data as reflected by the basic reform indicator.

SEC. 8. *Principal Office.* – The NAPC shall establish its principal office in Metro Manila and may establish such branches within the Philippines as may be deemed necessary by the President of the Philippines to carry out the powers and functions of the NAPC.

SEC. 9. *The NAPC Secretariat.* – The NAPC shall be supported by a Secretariat, which shall be headed by the Lead Convenor referred to under Section 6 hereof. The Secretariat shall provide technical and administrative support to the NAPC. It shall be formed from the unification of the secretariats of the following bodies:

- (1) Presidential Commission to Fight Poverty (PCFP);
- (2) Social Reform Council (SRC); and
- (3) Presidential Council for Countryside Development (PCCD).

Within three (3) months from the effectivity of this Act, the Office of the President shall finalize the organizational plan for the NAPC.

To provide the continuity of existing social reform and poverty alleviation related programs, all accredited organizations under the three (3) unified councils and commissions shall be automatically accredited under the NAPC until such time that additional accreditation requirements may be provided by the NAPC.

SEC. 10. *The People's Development Trust Fund.* – The People's Development Trust Fund (PDTF) is hereby established, which shall be monitored by the NAPC.

The Trust Fund in the amount of Four billion and five hundred million pesos (P4,500,000,000) shall be funded from the earnings of the PAGCOR in addition to appropriations by Congress, voluntary

contributions, grants, gifts from both local and foreign sources as may be accepted or decided on by the NAPC. Any additional amount to the Trust Fund shall form part of the corpus of the Trust Fund, unless the donor, contributor or grantor expressly provides as a condition that the amount be included in the disburseable portion of the Trust Fund.

The President of the Philippines shall assign to any existing government department or agency the administration of the Trust Fund, based on the expertise, organizational capability, and orientation or focus of the department or agency. The NAPC shall be limited to the function of monitoring the utilization of the PDTF, while the government departments or agencies designated by the President shall directly administer the utilization of the earnings of the PDTF.

Only the fruits of the PDTF shall be used for the purposes provided in this Act. Any undisbursed fruits for the preceding year shall form part of the disburseable portion of the PDTF in the following year.

For the purpose of monitoring the earnings of the PDTF, the NAPC shall:

(1) Source funds for the establishment of and augmentation to the Trust Fund;

(2) Recommend to the appropriate government department or agency the accreditation of organizations and institutions that shall act as resource partners in conducting institutional development and capability building activities for accredited organizations and beneficiaries of microfinance and micro- enterprise programs;

(3) Ensure that validation and monitoring activities are conducted for funded institutional development and capability building projects/programs/beneficiaries; and

(4) Promote research and development work on livelihood and microfinance technology and publications/communications programs that assist the poor beneficiaries.

SEC. 11. *Purposes of the People's Development Trust Fund (PDTF)*. – The earnings of the PDTF shall be utilized for the following purposes:

(1) Consultancy and training services for microfinance institutions and their beneficiaries on the establishment of the necessary support services, social and financial preparation of beneficiaries, preparation of plans and programs including fund sourcing and assistance, establishment of credit and savings monitoring and evaluation mechanisms;

(2) Scholarships or training grants for microfinance staff and officers, and selected beneficiaries;

(3) Community organizing for microfinance, livelihood and micro-enterprises training services;

(4) Livelihood/micro-enterprise project/program feasibility studies and researches;

(5) Savings mobilization and incentive programs, and other similar facilities;

(6) Information and communication systems such as baseline surveys, development monitoring systems, socioeconomic mapping surveys, organizational assessments, and other similar activities;

(7) Legal and other management support services such as registration, documentation, contract review and enforcement, financial audit and operational assessment;

(8) Information dissemination of microfinance technology; and

(9) Other activities to support microfinance as approved by the designated agency administering the PDTF.

The PDTF may be accessed by the following:

(a) Registered microfinance organizations engaged in providing micro-enterprise services for the poor to enable them to become viable and sustainable;

(b) Local government units providing microfinance and micro-enterprise programs to their constituents: *Provided*, That the PDTF shall not be used by the LGUs for personal services and maintenance and other operating expenses; and

(c) Local government units undertaking self-help projects where at least twenty-five percent (25%) of the total earnings of the PDTF shall be used exclusively for the provision of materials and technical services.

SEC. 12. *The Role of Local Government Units (LGUs).* – The local government units, through the local development councils of the province, city, municipality, or barangay shall be responsible for the formulation, implementation, monitoring and evaluation of the National Anti-Poverty Action Agenda in their respective jurisdictions. The LGUs shall:

(a) Identify the poor in their respective areas based on indicators such as the minimum basic needs approach and the human development index, their location, occupation, nature of employment, and their primary resource base and formulate a provincial/city/municipality anti-poverty action agenda;

(b) Identify and source funding for specific social reform and poverty alleviation projects;

(c) Coordinate, monitor and evaluate the efforts of local government units with the private sector on planning and

implementation of the local action program for social reform and poverty alleviation; and

(d) Coordinate and submit progress reports to the National Anti-Poverty Commission regarding their local action programs.

Nothing in this Act shall be construed as diminishing the powers granted to the local government units under the Local Government Code.

TITLE II

MICROFINANCE SERVICES FOR THE POOR

SEC. 13. *Microfinance Program.* – The programs and implementing mechanisms of the Social Reform Agenda’s Flagship Program on Credit shall be integrated, adopted and further enhanced to effectively support the objectives of this Act along the following thrusts:

(1) Development of a policy environment, especially in the area of savings generation, supportive of basic sector initiatives dedicated to serving the needs of the poor in terms of microfinance services;

(2) Rationalization of existing government programs for credit and guarantee;

(3) Utilization of existing government financial entities for the provision of microfinance products and services for the poor; and

(4) Promotion of mechanisms necessary for the implementation of microfinance services, including indigenous microfinance practices.

SEC. 14. *People’s Credit and Finance Corporation (PCFC).* – The People’s Credit and Finance Corporation (PCFC), a government-controlled corporation registered with the Securities and Exchange

Commission and created in accordance with Administrative Order No. 148 and Memorandum Order No. 261, shall be the vehicle for the delivery of microfinance services for the exclusive use of the poor. As a government-owned and -controlled corporation, it shall be the lead government entity specifically tasked to mobilize financial resources from both local and international funding sources for microfinance services for the exclusive use of the poor.

SEC. 15. *Increase in the Capitalization of PCFC.* – To facilitate the increase in the capitalization of the PCFC, the President of the Republic of the Philippines shall take measures to enable the amendment of the Articles of Incorporation of the PCFC such that:

(a) The authorized capital stock of the PCFC may be increased from One hundred million pesos (P100,000,000) to Two billion pesos (P2,000,000,000) divided into twenty million common shares with a par value of One hundred pesos (P100) per share;

(b) The subscribed capital stock may be increased from One hundred million pesos (P100,000,000) to Six hundred million pesos (P600,000,000) and the national government may subscribe the difference of Five hundred million pesos (P500,000,000);

(c) The initial paid-up capital may be increased from One hundred million pesos (P100,000,000) to Two hundred fifty million pesos (P250,000,000), to be increased subsequently to a total of Six hundred million pesos (P600,000,000), such that at the end of a period of four (4) years the subscribed capital shall be fully paid-up, in the following manner:

For the initial increase in paid-up capital during the first year, the difference of One hundred fifty million pesos (P150,000,000) shall be paid and appropriated for by government; for the second year, One hundred fifty million pesos (P150,000,000); for the third year, One hundred million pesos (P100,000,000); and for the fourth year, One hundred million pesos (P100,000,000).

The appropriations for the additional paid-up capital shall be sourced from the share of the national government in the earnings of the PAGCOR, in the manner provided for under Section 18, which provides for the appropriations under this Act.

SEC. 16. *Special Credit Windows in Existing Government Financing Institutions (GFIs).* – The existing government financial institutions shall provide for the savings and credit needs of the poor. The GFIs such as the Land Bank of the Philippines, Philippine Postal Bank, Al Amanah Bank, and the Development Bank of the Philippines are hereby mandated to coordinate with NAPC and PCFC in setting up special credit windows and other arrangements, such as the servicing of Small Savers Instruments (SSIs), that will promote the microfinance program of this Act.

The private financing institutions may also provide the savings and credit requirements of the poor by setting up similar credit windows and other arrangements to promote the savings component of the microfinance program of this Act.

Special credit windows for the poor shall, as far as practicable, include an allocation for the basic sectors, as defined in this Act, particularly those living in the rural areas, agrarian reform communities, and women in the countryside.

SEC. 17. *PCFC Privatization.* – In the event that the ownership of the majority of the issued voting stocks of PCFC shall have passed to private investors (exclusively qualified nongovernment organizations, people’s organizations and cooperatives), the stockholders shall cause the registration with the Securities and Exchange Commission (SEC) of the revised Articles of Incorporation and By-laws. The PCFC shall thereafter be considered as a privately organized entity subject to the laws and regulations generally applied to private corporations.

The chairman of the PCFC may still be a member of the National Anti-Poverty Commission (NAPC) upon the privatization

of the PCFC: *Provided*, That the PCFC will continue its main purpose of providing for the savings and credit needs of the poor.

TITLE III

APPROPRIATIONS FOR THE NATIONAL ANTI-POVERTY COMMISSION (NAPC) AND THE PEOPLE'S DEVELOPMENT TRUST FUND (PDTF)

SEC. 18. *Appropriations.* – To carry out the provisions of this Act, the following amounts are appropriated as follows:

(1) The sum of One hundred million pesos (P100,000,000) is hereby appropriated as the initial operating fund in addition to the unutilized funds of the rationalized commission and councils. The sum shall be sourced from the President's Contingent Fund. In subsequent years, the amount necessary to implement this Act shall be included in the annual appropriations. The said amounts shall be under the management of the NAPC.

(2) The aggregate sum of Four billion and five hundred million pesos (P4,500,000,000) for ten (10) years is hereby appropriated for the establishment of the People's Development Trust Fund (PDTF) from the share of the national government in the earnings of the Philippine Amusement and Gaming Corporation (PAGCOR), in the following manner: on the first year, Three hundred fifty million pesos (P350,000,000); on the second year, Three hundred fifty million pesos (P350,000,000); on the third year, Four hundred million pesos (P400,000,000); on the fourth year, Four hundred million pesos (P400,000,000); on the fifth year and every year thereafter until the tenth year, Five hundred million pesos (P500,000,000) annually.

(3) The aggregate sum of Five hundred million pesos (P500,000,000) for four years shall be appropriated for the increase in the capitalization of the PCFC, from the share of the national government in the earnings of the PAGCOR, at such time that the

increase in the capitalization of the PCFC, in the manner provided for under Section 15 of this Act, shall have been effected. The appropriation shall be made in the following manner: on the first year, One hundred fifty million pesos (P150,000,000); on the second year, One hundred fifty million pesos (P150,000,000); on the third year, One hundred million pesos (P100,000,000); and on the fourth year, One hundred million pesos (P100,000,000).

SEC. 19. *Transitory Provision.* – The Social Reform Council (SRC) and the representatives therein shall, in temporary capacity, exercise the powers and assume the duties of the NAPC until such time that the members of NAPC shall have been duly appointed or designated.

The Office of the President shall formulate the implementing rules and regulations (IRR) of this Act within six (6) months after its effectivity.

The assets, liabilities and personnel of PCFP, SRC and PCCD are hereby transferred to the NAPC. Personnel who cannot be absorbed by NAPC shall be entitled to a separation pay of one- and-a-half (1 1/2) months for every year of service and other benefits under existing retirement laws, at the option of the personnel concerned.

SEC. 20. *Repealing Clause.* – All laws, executive orders, rules and regulations, or parts thereof, inconsistent with this Act are hereby repealed, amended or modified accordingly. The provisions of this Act shall not be repealed, amended or modified unless expressly provided in subsequent general or special laws.

SEC. 21. *Separability Clause.* – If any provision of this Act shall be held invalid or unconstitutional, the remaining provisions thereof not affected thereby shall remain in full force and effect.

SEC. 22. *Effectivity Clause.* – This Act shall be effective on June 30, 1998.

(Sgd.) ERNESTO M. MACEDA
President of the Senate

(Sgd.) JOSE DE VENECIA JR.
*Speaker of the House
of Representatives*

This Act which is a consolidation of House Bill No. 9360 and Senate Bill No. 1731 was finally passed by the House of Representatives and the Senate on December 9, 1997 and December 8, 1997, respectively.

(Sgd.) LORENZO E. LEYNES JR.
Secretary of the Senate

(Sgd.) ROBERTO P. NAZARENO
*Secretary General
House of Representatives*

Approved, December 11, 1997

(Sgd.) FIDEL V. RAMOS
President of the Philippines

10th Congress
S. No. 2245
H. No. 2

REPUBLIC ACT NO. 8435

AN ACT PRESCRIBING URGENT RELATED MEASURES TO MODERNIZE THE AGRICULTURE AND FISHERIES SECTORS OF THE COUNTRY IN ORDER TO ENHANCE THEIR PROFITABILITY, AND PREPARE SAID SECTORS FOR THE CHALLENGES OF GLOBALIZATION THROUGH AN ADEQUATE, FOCUSED AND RATIONAL DELIVERY OF NECESSARY SUPPORT SERVICES, APPROPRIATING FUNDS THEREFOR AND FOR OTHER PURPOSES

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

SEC. 1. *Short Title.* – This Act shall be known as the “Agriculture and Fisheries Modernization Act of 1997.”

SEC. 2. *Declaration of Policy.* – The goals of the national economy are a more equitable distribution of opportunities, income and wealth; a sustained increase in the amount of goods and services produced by the nation for the benefit of the people; and an expanding productivity as the key to raising the quality of life for all, especially the underprivileged.

The State shall promote industrialization and full employment based on sound agricultural development and agrarian reform, through industries that make full and efficient use of human and natural resources, and which are competitive in both domestic and foreign markets. In pursuit of these goals, all sectors of the economy and all regions of the country shall be given optimum opportunity to develop. Private enterprises, including corporations, cooperatives, and similar collective organizations, shall be encouraged to broaden the base of their ownership.

Thus, it is hereby declared the policy of the State to enable those who belong to the agriculture and fisheries sectors to participate and share in the fruits of development and growth in a manner that utilizes the nation's resources in the most efficient and sustainable way possible by establishing a more equitable access to assets, income, basic and support services and infrastructure.

The State shall promote food security, including sufficiency in our staple food, namely rice and white corn. The production of rice and white corn shall be optimized to meet our local consumption and shall be given adequate support by the State.

The State shall adopt the market approach in assisting the agriculture and fisheries sectors while recognizing the contribution of said sectors to food security, environmental protection, and balanced urban and rural development, without neglecting the welfare of the consumers, especially the lower income groups. The State shall promote market-oriented policies in agricultural production to encourage farmers to shift to more profitable crops.

The State shall empower the agriculture and fisheries sectors to develop and sustain themselves. Toward this end, the State shall ensure the development of the agriculture and fisheries sectors in accordance with the following principles:

a) *Poverty Alleviation and Social Equity*. – The State shall ensure that the poorer sectors of society have equitable access to resources, income opportunities, basic and support services and infrastructure especially in areas where productivity is low as a means of improving their quality of life compared with other sectors of society;

b) *Food Security*. – The State shall assure the availability, adequacy, accessibility and affordability of food supplies to all at all times;

c) *Rational Use of Resources*. – The State shall adopt a rational approach in the allocation of public investments in agriculture and

fisheries in order to assure efficiency and effectiveness in the use of scarce resources and thus obtain optimal returns on its investments;

d) *Global Competitiveness*. – The State shall enhance the competitiveness of the agriculture and fisheries sectors in both domestic and foreign markets;

e) *Sustainable Development*. – The State shall promote development that is compatible with the preservation of the ecosystem in areas where agriculture and fisheries activities are carried out. The State should exert care and judicious use of the country's natural resources in order to attain long-term sustainability;

f) *People Empowerment*. – The State shall promote people empowerment by enabling all citizens through direct participation or through their duly elected, chosen or designated representatives the opportunity to participate in policy formulation and decision-making by establishing the appropriate mechanisms and by giving them access to information; and

g) *Protection from Unfair Competition*. – The State shall protect small farmers and fisherfolk from unfair competition such as monopolistic and oligopolistic practices by promoting a policy environment that provides them priority access to credit and strengthened cooperative-based marketing system.

SEC. 3. *Statement of Objectives*. – This Act shall have the following objectives:

a) To modernize the agriculture and fisheries sectors by transforming these sectors from a resource-based to a technology-based industry;

b) To enhance profits and incomes in the agriculture and fisheries sectors, particularly the small farmers and fisherfolk, by ensuring equitable access to assets, resources and services, and

promoting higher-value crops, value-added processing, agribusiness activities, and agro-industrialization;

c) To ensure the accessibility, availability and stable supply of food to all at all times;

d) To encourage horizontal and vertical integration, consolidation and expansion of agriculture and fisheries activities, groups, functions and other services through the organization of cooperatives, farmers' and fisherfolk's associations, corporations, nucleus estates, and consolidated farms and to enable these entities to benefit from economies of scale, afford them a stronger negotiating position, pursue more focused, efficient and appropriate research and development efforts and enable them to hire professional managers;

e) To promote people empowerment by strengthening people's organizations, cooperatives and NGOs and by establishing and improving mechanisms and processes for their participation in government decision-making and implementation;

f) To pursue a market-driven approach to enhance the comparative advantage of our agriculture and fisheries sectors in the world market;

g) To induce the agriculture and fisheries sectors to ascend continuously the value-added ladder by subjecting their traditional or new products to further processing in order to minimize the marketing of raw, unfinished or unprocessed products;

h) To adopt policies that will promote industry dispersal and rural industrialization by providing incentives to local and foreign investors to establish industries that have backward linkages to the country's agriculture and fisheries resource base;

i) To provide social and economic adjustment measures that increase productivity and improve market efficiency while ensuring

the protection and preservation of the environment and equity for small farmers and fisherfolk; and

j) To improve the quality of life of all sectors.

SEC. 4. *Definition of Terms.* –

“Agrarian Reform Community” is a barangay at the minimum or a cluster of contiguous barangays where there is a critical mass of farmers or farm workers and which features the main thrust of agrarian development: land tenure improvement and effective delivery of support services.

“Agricultural Lands” refers to lands devoted to or suitable for the cultivation of the soil, planting of crops, growing of trees, raising of livestock, poultry, fish or aquaculture production, including the harvesting of such farm products, and other farm activities and practices performed in conjunction with such farming operations by persons whether natural or juridical and not classified by law as mineral land, forest land, residential land, commercial land, or industrial land.

“Agricultural Land Use Conversion” refers to the process of changing the use of agricultural land to non-agricultural uses.

“Agricultural Sector” is the sector engaged in the cultivation of the soil, planting of crops, growing of fruit trees, raising of livestock, poultry, or fish, including the harvesting and marketing of such farm products, and other farm activities and practices.

“Agricultural Mechanization” is the development, adoption, manufacture and application of appropriate location-specific, and cost-effective agricultural technology using human, animal, mechanical, electrical and other non-conventional sources of energy for agricultural production and post-harvest operations consistent with agronomic conditions and for efficient and economic farm management.

“Agriculture and Fisheries Modernization” is the process of transforming the agriculture and fisheries sectors into one that is dynamic, technologically advanced and competitive yet centered on human development, guided by the sound practices of sustainability and the principles of social justice.

“Agro-Processing Activities” refers to the processing of raw agricultural and fishery products into semi-processed or finished products which include materials for the manufacture of food and/or non-food products, pharmaceuticals and other industrial products.

“Banks”, collectively used, means government banks and private banks, rural banks and cooperative banks.

“Basic Needs Approach to Development” involves the identification, production and marketing of wage goods and services for consumption of rural communities.

“Communal Irrigation System (CIS)” is an irrigation system that is managed by a *bona fide* Irrigators Association.

“Competitive Advantage” refers to competitive edge in terms of product quality and/or price. It likewise refers to the ability to produce a product with the greatest relative efficiency in the use of resources.

“Cooperatives” refers to duly registered associations of persons with a common bond of interest who have voluntarily joined together to achieve a lawful common social and economic end, making equitable contributions to the capital required and accepting a fair share of the risks and benefits of the undertaking in accordance with universally accepted cooperative principles.

“Department” refers to the Department of Agriculture.

“Economic Scale” refers to the minimum quantity or volume of goods required to be efficient.

“Economies of Scale” refers to the decrease in unit cost as more units are produced due to the spreading out of fixed costs over a greater number of units produced.

“Empowerment” involves providing authority, responsibility and information to people directly engaged in agriculture and fishery production, primarily at the level of the farmers, fisherfolk and those engaged in food and non-food production and processing, in order to give them wider choices and enable them to take advantage of the benefits of the agriculture and fishery industries.

“Extension Services” refers to the provision of training, information, and support services by the government and non-government organizations to the agriculture and fisheries sectors to improve the technical, business and social capabilities of farmers and fisherfolk.

“Farmer’s and Fisherfolk’s Organizations or Associations” refers to farmers and fisherfolk’s cooperatives, associations, or corporations duly registered with appropriate government agencies and which are composed primarily of small agricultural producers, farmers, farm workers, agrarian reform beneficiaries, fisherfolk who voluntarily join together to form business enterprises or non-business organizations which they themselves own, control and patronize.

“Farm-to-Market Roads” refers to roads linking the agriculture and fisheries production sites, coastal landing points and post-harvest facilities to the market and arterial roads and highways.

“Fisheries” refers to all systems or networks of interrelated activities which include the production, growing, harvesting, processing, marketing, developing, conserving, and managing of all aquatic resources and fisheries areas.

“Fisheries Sector” is the sector engaged in the production, growing, harvesting, processing, marketing, developing, conserving and managing of aquatic resources and fisheries areas.

“Fishing” refers to the application of techniques using various gear in catching fish and other fisheries products.

“Fishing Grounds” refers to areas in any body of water where fish and other aquatic resources congregate and become target of capture.

“Food Security” refers to the policy objective, plan and strategy of meeting the food requirements of the present and future generations of Filipinos in substantial quantity, ensuring the availability and affordability of food to all, either through local production or importation, or both, based on the country’s existing and potential resource endowment and related production advantages, and consistent with the overall national development objectives and policies. However, sufficiency in rice and white corn should be pursued.

“Fresh Agricultural and Fishery Products” refers to agricultural and fisheries products newly taken or captured directly from its natural state or habitat, or those newly harvested or gathered from agricultural areas or bodies of water used for aquaculture.

“Global Competitiveness” refers to the ability to compete in terms of price, quality and volume of agriculture and fishery products relative to those of other countries.

“Gross Value-Added” refers to the total value, excluding the value of non-agricultural or fishery intermediate inputs, of goods and services contributed by the agricultural and fisheries sectors.

“Headworks” refers to the composite parts of the irrigation system that divert water from natural bodies of water such as rivers, streams, and lakes.

“Industrial Dispersal” refers to the encouragement given to manufacturing enterprises to establish their plants in rural areas. Such firms normally use agricultural raw materials either in their primary or intermediate state.

“Irrigable Lands” refers to lands which display marked characteristics justifying the operation of an irrigation system.

“Irrigated Lands” refers to lands serviced by natural irrigation or irrigation facilities. These include lands where water is not readily available as existing irrigation facilities need rehabilitation or upgrading or where irrigation water is not available year-round.

“Irrigation System” refers to a system of irrigation facilities covering contiguous areas.

“Irrigators’ Association (IA)” refers to an association of farmers within a contiguous area served by a National Irrigation System or Communal Irrigation System.

“Land Use” refers to the manner of utilizing the land, including its allocation, development and management.

“Land Use Plan” refers to a document embodying a set of policies accompanied by maps and similar illustrations which represent the community-desired pattern of population distribution and a proposal for the future allocation of land to the various land-using activities, in accordance with the social and economic objectives of the people. It identifies the location, character and extent of the area’s land resources to be used for different purposes and includes the process and the criteria employed in the determination of the land use.

“Land Use Planning” refers to the act of defining the allocation, utilization, development and management of all lands within a given territory or jurisdiction according to the inherent qualities of the land itself and supportive of sustainable, economic, demographic, socio-cultural and environmental objectives as an aid to decision-making and legislation.

“Main Canal” refers to the channel where diverted water from a source flows to the intended area to be irrigated.

“Market Infrastructure” refers to facilities including, but not limited to, market buildings, slaughterhouses, holding pens, warehouses, market information centers, connecting roads, transport and communication and cold storage used by the farmers and fisherfolk in marketing their produce.

“National Information Network (NIN)” refers to an information network which links all offices and levels of the Department with various research institutions and local end-users, providing easy access to information and marketing services related to agriculture and fisheries.

“National Irrigation System (NIS)” refers to a major irrigation system managed by the National Irrigation Administration.

“Network of Protected Areas for Agricultural and Agro-industrial Development (NPAAAD)” refers to agricultural areas identified by the Department through the Bureau of Soils and Water Management in coordination with the National Mapping and Resource Information Authority in order to ensure the efficient utilization of land for agriculture and agro-industrial development and promote sustainable growth. The NPAAAD covers all irrigated areas, all irrigable lands already covered by irrigation projects with firm funding commitments; all alluvial plain land highly suitable for agriculture whether irrigated or not; agro-industrial croplands or lands presently planted to industrial crops that support the viability of existing agricultural infrastructure and agro-based enterprises, highlands, or areas located at an elevation of five hundred (500) meters or above and have the potential for growing semi-temperate and high-value crops; all agricultural lands that are ecologically fragile, the conversion of which will result in serious environmental degradation, and mangrove areas and fish sanctuaries.

“On-Farm Irrigation Facilities” refers to composite facilities that permit entry of water to paddy areas and consist of farm ditches and turnouts.

“Primary Processing” refers to the physical alteration of raw agricultural or fishery products with or without the use of mechanical facilities.

“Post-Harvest Activities” includes, but is not limited to, threshing, drying, milling, grading, storing, and handling of produce and such other activities as stripping, winnowing, chipping and washing.

“Post-Harvest Facilities” includes, but is not limited to, threshers, moisture meters, dryers, weighing scales, milling equipment, fish ports, fish landings, ice plants and cold storage facilities, processing plants, warehouses, buying stations, market infrastructure and transportation facilities.

“Premature Conversion of Agricultural Land” refers to the undertaking of any development activity, the results of which modify or alter the physical characteristics of the agricultural lands to render them suitable for non-agricultural purposes, without an approved order of conversion from the DAR.

“Resource Accounting” is a process of tracking changes in the environment and natural resources biophysically and economically (in monetary terms).

“Resource-based” refers to the utilization of natural resources.

“Rural Industrialization” refers to the process by which the economy is transformed from one that is predominantly agricultural to one that is dominantly industrial and service-oriented. Agriculture provides the impetus and push for industry and services through the market that it creates, the labor that it absorbs, and the income that it generates which is channeled to industry and services. As development continues, with agriculture still an important sector, industry and services begin to generate income and markets and concomitantly increase their share of total income.

“Strategic Agriculture and Fisheries Development Zones (SAFDZ)” refers to the areas within the NPAAAD identified for production, agro-processing and marketing activities to help develop and modernize, with the support of government, the agriculture and fisheries sectors in an environmentally and socio-culturally sound manner.

“Secondary Canal” refers to the channel connected to the main canal which distributes irrigation to specific areas.

“Secondary Processing” refers to the physical transformation of semi-processed agricultural or fishery products.

“Shallow Tube Well (STW)” refers to a tube or shaft vertically set into the ground for the purpose of bringing ground water to the soil surface from a depth of less than 20 meters by suction lifting.

“Small Farmers and Fisherfolk” refers to natural persons dependent on small-scale subsistence farming and fishing activities as their primary source of income.

“Small and Medium Enterprise (SME)” refers to any business activity or enterprise engaged in industry, agribusiness and/or services, whether single proprietorship, cooperative, partnership or corporation whose total assets, inclusive of those arising from loans but exclusive of the land on which the particular business entity’s office, plant and equipment are situated, must have value falling under the following categories:

Micro : not more than P1,500,000

Small : P1,500,001 to P15,000,000

Medium : P15,000,001 to P60,000,000

The Department, in consultation with the Congressional Oversight Committee on Agricultural and Fisheries Modernization, may adjust the above values as deemed necessary.

“Socio-culturally Sound” means the consideration of the social structure of the community such as leadership pattern, distribution of roles across gender and age groups, the diversity of religion and other spiritual beliefs, ethnicity and cultural diversity of the population.

“Technology-based” refers to utilization of technology.

“Zoning Ordinance” refers to a local legislation approving the development/ land use plan and providing for the regulations and other conditions on the uses of land including the limitation on the infrastructure that maybe placed within the territorial jurisdiction of a city or municipality.

TITLE 1

PRODUCTION AND MARKETING SUPPORT SERVICES

Chapter 1

Strategic Agricultural and Fisheries Development Zones

SEC. 5. *Declaration of Policy.* – It is the policy of the State to ensure that all sectors of the economy and all regions of the country shall be given optimum opportunity to develop through the rational and sustainable use of resources peculiar to each area in order to maximize agricultural productivity, promote efficiency and equity and accelerate the modernization of the agriculture and fisheries sectors of the country.

SEC. 6. *Network of Areas for Agricultural and Agro-Industrial Development.* – The Department shall, within six (6) months after the approval of this Act, and in consultation with the local government units, appropriate government agencies, concerned non-government organizations (NGOs) and organized farmers’ and fisherfolk’s groups, identify the Strategic Agriculture and Fisheries

Development Zones (SAFDZ) within the network of protected areas for agricultural and agro-industrial development to ensure that lands are efficiently and sustainably utilized for food and non-food production and agro-industrialization.

The SAFDZ, which shall serve as centers where development in the agriculture and fisheries sectors are catalyzed in an environmentally and socio-culturally sound manner, shall be identified on the basis of the following criteria:

a) Agro-climatic and environmental conditions giving the area a competitive advantage in the cultivation, culture, production and processing of particular crops, animals and aquatic products;

b) Strategic location of the area for the establishment of agriculture or fisheries infrastructure, industrial complexes, production and processing zones;

c) Strategic location of the area for market development and market networking both at the local and international levels; and

d) Dominant presence of agrarian reform communities (ARCs) and/or small owner-cultivators and amortizing owners/ agrarian reform beneficiaries and other small farmers and fisherfolk in the area.

The SAFDZ shall have an integrated development plan consisting of production, processing, investment, marketing, human resources and environmental protection components.

SEC. 7. Model Farms. – The Department, in coordination with the local government units (LGUs) and appropriate government agencies, may designate agrarian reform communities (ARCs) and other areas within the SAFDZ suitable for economic scale production which will serve as model farms.

Farmer-landowners whose lands are located within these designated areas shall be given the option to enter into a management

agreement with corporate entities with proven competence in farm operations and management, high-end quality production and productivity through the use of up-to-date technology and collateral resources such as skilled manpower, adequate capital and credit, and access to markets, consistent with existing laws.

SEC. 8. *Mapping.* – The Department, through the Bureau of Soils and Water Management (BSWM), in coordination with the National Mapping and Resource Information Authority (NAMRIA) and the Housing and Land Use Regulatory Board (HLURB) shall undertake the mapping of the network of areas for agricultural and agro-industrial development for all municipalities, cities at an appropriate scale. The BSWM may call on other agencies to provide technical and other logistical support in this undertaking.

SEC. 9. *Delineation of Strategic Agriculture and Fisheries Development Zones.* – The Department, in consultation with the Department of Agrarian Reform, the Department of Trade and Industry, the Department of Environment and Natural Resources, Department of Science and Technology, the concerned LGUs, the organized farmers and fisherfolk groups, the private sector and communities shall, without prejudice to the development of identified economic zones and free ports, establish and delineate, based on sound resource accounting, the SAFDZ within one (1) year from the effectivity of this Act.

All irrigated lands, irrigable lands already covered by irrigation projects with firm funding commitments, and lands with existing or having the potential for growing high-value crops so delineated and included within the SAFDZ shall not be converted for a period of five (5) years from the effectivity of this Act: *Provided, however,* That not more than five percent (5%) of the said lands located within the SAFDZ may be converted upon compliance with existing laws, rules, regulations, executive orders and issuances, and administrative orders relating to land use conversion: *Provided, further,* That thereafter: 1) a review of the SAFDZ, specifically on the productivity of the areas, improvement of the quality of life of farmers and fisherfolk, and efficiency and effectiveness of

the support services shall be conducted by the Department and the Department of Agrarian Reform, in coordination with the Congressional Oversight Committee on Agricultural and Fisheries Modernization; 2) conversion may be allowed, if at all, on a case-to-case basis subject to existing laws, rules, regulations, executive orders and issuances, and administrative orders governing land use conversion; and, 3) in case of conversion, the land owner will pay the Department the amount equivalent to the government's investment cost including inflation.

SEC. 10. *Preparation of Land Use and Zoning Ordinance.* – Within one (1) year from the finalization of the SAFDZ, in every city and municipality, all cities and municipalities shall have prepared their respective land use and zoning ordinance incorporating the SAFDZ, where applicable. Thereafter, all land use plans and zoning ordinances shall be updated every four (4) years or as often as may be deemed necessary upon the recommendation of the Housing and Land Use Regulatory Board and must be completed within the first year of the term of office of the mayor. If the cities/municipalities fail to comply with the preparation of zoning and land use plans, the DILG shall impose the penalty as provided for under Republic Act No. 7160.

SEC. 11. *Penalty for Agricultural Inactivity and Premature Conversion.* – Any person or juridical entity who knowingly or deliberately causes any irrigated agricultural lands seven (7) hectares or larger, whether contiguous or not, within the protected areas for agricultural development, as specified under Section 6 in relation to Section 9 of this Act, to lie idle and unproductive for a period exceeding one (1) year, unless due to *force majeure*, shall be subject to an idle land tax of Three Thousand Pesos (P3,000.00) per hectare per year. In addition, the violator shall be required to put back such lands to productive agricultural use. Should the continued agricultural inactivity, unless due to *force majeure*, exceed a period of two (2) years, the land shall be subject to escheat proceedings.

Any person found guilty of premature or illegal conversion shall be penalized with imprisonment of two (2) to six (6) years, or a

fine equivalent to one hundred percent (100%) of the government's investment cost, or both, at the discretion of the court, and an accessory penalty of forfeiture of the land and any improvement thereon.

In addition, the DAR may impose the following penalties, after determining, in an administrative proceedings, that violation of this law has been committed:

a) Cancellation or withdrawal of the authorization for land use conversion; and

b) Blacklisting, or automatic disapproval of pending and subsequent conversion applications that they may file with the DAR.

SEC. 12. *Protection of Watershed Areas.* – All watersheds that are sources of water for existing and potential irrigable areas and recharge areas of major aquifers identified by the Department of Agriculture and the Department of Environment and Natural Resources shall be preserved as such at all times.

Chapter 2

Agriculture and Fisheries Modernization Plan

SEC. 13. *Agriculture and Fisheries Modernization Plan (AFMP).* – The Department, in consultation with the farmers and fisherfolk, the private sector, NGOs, people's organizations and the appropriate government agencies and offices, shall formulate and implement a medium- and long-term comprehensive Agriculture and Fisheries Modernization Plan.

The Agriculture and Fisheries Modernization Plan shall focus on five (5) major concerns:

a) Food security;

- b) Poverty alleviation and social equity;
- c) Income enhancement and profitability, especially for farmers and fisherfolk;
- d) Global competitiveness; and
- e) Sustainability.

SEC. 14. *Food Security, Poverty Alleviation, Social Equity and Income Enhancement.* – The Department, in coordination with other concerned departments or agencies, shall formulate medium- and long-term plans addressing food security, poverty alleviation, social equity and income enhancement concerns based on, but not limited to, the following goals and indicators of development:

- a) Increased income and profit of small farmers and fisherfolks;
- b) Availability of rice and other staple foods at affordable prices;
- c) Reduction of rural poverty and income inequality;
- d) Reduction of the incidence of malnutrition;
- e) Reduction of rural unemployment and underemployment; and
- f) Improvement in land tenure of small farmers.

SEC. 15. *Global Competitiveness and Sustainability.* – The Department shall formulate medium- and long-term plans aimed at enhancing the global competitiveness and sustainability of the country in agriculture and fisheries based on, but not limited to, the following goals and indicators of development:

- a) Increase in the volume, quality and value of agriculture and fisheries production for domestic consumption and for exports;
- b) Reduction in post-harvest losses;
- c) Increase in the number/types and quality of processed agricultural and fishery products;
- d) Increase in the number of international trading partners in agriculture and fishery products;

- e) Increase in the number of sustainable agriculture and fisheries firms engaged in domestic production, processing, marketing and export activities;
- f) Increase in and wider level of entrepreneurship among farmers and fisherfolk in the area;
- g) Increase in the number of farms engaged in diversified farming; and,
- h) Reduced use of agro-chemicals that are harmful to health and the environment.

SEC. 16. *Global Climate Change.* – The Department, in coordination with the Philippine Atmospheric, Geophysical and Astronomical Service Administration (P.A.G.A.S.A.) and such other appropriate government agencies, shall devise a method of regularly monitoring and considering the effect of global climate changes, weather disturbances, and annual productivity cycles for the purpose of forecasting and formulating agriculture and fisheries production programs.

SEC. 17. *Special Concerns.* – The Department shall consider the following areas of concerns, among others, in formulating the AFMP:

- a) Strategies and programs aimed to achieve growth and profitability targets in the context of the constraints and challenges of the World Trade Organization (WTO);
- b) Programs arising from the implementation of the Agrarian Reform Program;
- c) Identification of SAFDZ;
- d) Infrastructure and market support for the SAFDZs;
- e) Infrastructure support to make agriculture and fisheries production inputs, information and technology readily available to farmers, fisherfolk, cooperatives and entrepreneurs;
- f) Credit programs for small farmers and fisherfolk, and agricultural graduates;
- g) Comprehensive and integrated agriculture and fisheries research, development and extension services;

- h) Preservation of biodiversity, genetic materials and the environment;
- i) Adequate and timely response against environmental threats to agriculture and fisheries;
- j) Rural non-farm employment;
- k) Access to aquatic resources by fisherfolk;
- l) Basic needs program for the impoverished sectors of society who will be affected by liberalization;
- m) Indigenous peoples;
- n) Rural youth;
- o) Women;
- p) Handicapped persons; and
- q) Senior citizens.

SEC. 18. *Monitoring and Evaluation.* – The Department shall develop the capability of monitoring the AFMP through a Program Benefit Monitoring and Evaluation System (PBMES). In addition, it can secure the services of independent consultants and external evaluators in order to assess its over-all impact. The Department shall make periodic reports to the Congressional Oversight Committee on Agriculture and Fisheries Modernization.

SEC. 19. *Role of Other Agencies.* – All units and agencies of the government shall support the Department in the implementation of the AFMP.

In particular, the Department of Public Works and Highways shall coordinate with the Department with respect to the infrastructure support aspect of the plan in order to accomplish networking of related infrastructure facilities.

The Department of Interior and Local Government shall provide assistance to the Department in mobilizing resources under the control of local government units.

The Departments of Trade and Industry, Agrarian Reform, Science and Technology, and Environment and Natural Resources

shall coordinate their investment programs and activities to complement the Department's implementation of the AFMP.

The Department of Education, Culture and Sports, the Technical Education and Skills Development Authority, the Department of Health and the Department of Social Services and Development shall coordinate with the Department to determine the financial requirements of small farmers and fisherfolk to adjust to the effects of modernization as envisioned in the Agriculture and Fisheries Modernization Plan.

The Department of Environment and Natural Resources shall provide technical assistance and advice on the delineation of the SAFDZ and on the development of the Department's environmental protection plans.

The departments referred to above shall be required to identify in their budget proposals the allocation intended for the improvement of the environmental and other conditions affecting agriculture and fisheries.

Congressional initiatives shall also be coordinated by the Committees on Agriculture of both Houses to complement and enhance the programs and activities of the Department in the implementation of the AFMP.

Chapter 3

Credit

SEC. 20. *Declaration of Policy.* – It is hereby declared the policy of the State to alleviate poverty and promote vigorous growth in the countryside through access to credit by small farmers, fisherfolk, particularly the women involved in the production, processing and trading of agriculture and fisheries products and the small and medium scale enterprises (SMEs) and industries engaged in agriculture and fisheries.

Interest rates shall be determined by market forces, provided that existing credit arrangements with agrarian reform beneficiaries are not affected. Emphasis of the credit program shall be on proper management and utilization.

In this regard, the State enjoins the active participation of the banking sector and government financial institutions in the rural financial system.

SEC. 21. *Phase Out of the Directed Credit Programs (DCPs) and Provision for the Agro-Industry Modernization Credit and Financing Program (AMCFP).* – The Department shall implement existing DCPs; however, the Department shall, within a period of four (4) years from the effectivity of this Act, phase-out all DCPs and deposit all its loanable funds including those under the Comprehensive Agricultural Loan Fund (CALF) including new funds provided by this Act for the AMCFP and transfer the management thereof to cooperative banks, rural banks, government financial institutions and viable NGOs for the Agro-Industry Modernization Credit Financing Program (AMCFP). Interest earnings of the said deposited loan funds shall be reverted to the AMCFP.

SEC. 22. *Coverage.* – An agriculture, fisheries and agrarian reform credit and financing system shall be designed for the use and benefit of farmers, fisherfolk, those engaged in food and non-food production, processing and trading, cooperatives, farmers'/fisherfolk's organization, and SMEs engaged in agriculture and fisheries, hereinafter referred to in this chapter as the "beneficiaries."

SEC. 23. *Scope of the Agro-Industry Modernization Credit and Financing Program (AMCFP).* – The Agro-industry Modernization Credit and Financing Program shall include the packaging and delivery of various credit assistance programs for the following:

- a) Agriculture and fisheries production including processing of fisheries and agri-based products and farm inputs;
- b) Acquisition of work animals, farm and fishery equipment and machinery;

- c) Acquisition of seeds, fertilizer, poultry, livestock, feeds and other similar items;
- d) Procurement of agriculture and fisheries products for storage, trading, processing and distribution;
- e) Acquisition of water pumps and installation of tube wells for irrigation;
- f) Construction, acquisition and repair of facilities for production, processing, storage, transportation, communication, marketing and such other facilities in support of agriculture and fisheries;
- g) Working capital for agriculture and fisheries graduates to enable them to engage in agriculture and fisheries-related economic activities;
- h) Agribusiness activities which support soil and water conservation and ecology-enhancing activities;
- i) Privately-funded and LGU-funded irrigation systems that are designed to protect the watershed;
- j) Working capital for long-gestating projects; and
- k) Credit guarantees on uncollateralized loans to farmers and fisherfolk.

SEC. 24. *Review of the mandates of Land Bank of the Philippines, Philippine Crop Insurance Corporation, Guarantee Fund For Small and Medium Enterprises, Quedan and Rural Credit Guarantee Corporation, Agricultural Credit Policy Council.* – The Department of Finance shall commission an independent review of the charters and the respective programs of the Land Bank of the Philippines (LBP), Philippine Crop Insurance Corporation (PCIC), Guarantee Fund for Small and Medium Enterprises (GSFME), Quedan and Rural Credit Guarantee Corporation (Quedancor), and Agricultural Credit Policy Council (ACPC), and recommend policy changes and other measures to induce the private sector’s participation in lending to agriculture and to improve credit access by farmers and fisherfolk: *Provided*, That agriculture and fisheries projects with long gestation period shall be entitled to a longer grace period in repaying the loan based on the economic life of the project.

The Land Bank of the Philippines, shall, in accordance with its original mandate, focus primarily on plans and programs in relation to the financing of agrarian reform and the delivery of credit services to the agriculture and fisheries sectors, especially to small farmers and fisherfolk.

The review shall start six (6) months after the enactment of this Act. Thereafter, the review shall make recommendations to the appropriate Congressional Committees for possible legislative actions and to the Executive Branch for policy and program changes within six (6) months after submission.

SEC. 25. Rationalization of Credit Guarantee Schemes and Funds. – All existing credit guarantee schemes and funds applicable to the agriculture and fishery sectors shall be rationalized and consolidated into an Agriculture and Fisheries Credit Guarantee Fund. The rationalization and consolidation shall cover the credit guarantee schemes and funds operated by the Quedancor, the GFSME and the Comprehensive Agricultural Loan Fund. The Agriculture and Fisheries Credit Guarantee Fund shall be managed and implemented by the Quedancor: *Provided*, That representation to the Quedancor Board shall be granted to cooperatives, local government units and rural financial institutions: *Provided, further*, That credit guarantee shall be given only to small-scale agriculture and fisheries activities and to countryside micro-, small, and medium enterprises. It may also cover loan guarantees for purchase orders and sales contracts.

The Agriculture and Fisheries Credit Guarantee Fund shall be funded by at least ten percent (10%) of the funding allocation for the AMCFP.

Chapter 4

Irrigation

SEC. 26. Declaration of Policy. – It is the policy of the State to use its natural resources rationally and equitably. The State shall

prevent the further destruction of watersheds, rehabilitate existing irrigation systems and promote the development of irrigation systems that are effective, affordable, appropriate, and efficient.

In the choice of location-specific irrigation projects, the economic principle of comparative advantage shall always be adhered to.

SEC. 27. Research and Development. – Irrigation Research and Development (R&D) shall be pursued and priority shall be given to the development of effective, appropriate and efficient irrigation and water management technologies.

The Department shall coordinate with the Department of Environment and Natural Resources concerning the preservation and rehabilitation of watersheds to support the irrigation systems.

SEC. 28. Criteria for Selection of Irrigation Development Scheme. – The selection of appropriate scheme of irrigation development shall be location-specific and based on the following criteria:

- a) Technical feasibility;
- b) Cost-effectiveness;
- c) Affordability, low investment cost per unit area;
- d) Sustainability and simplicity of operation;
- e) Recovery of operation and maintenance cost;
- f) Efficiency in water use;
- g) Length of gestation period; and
- h) Potential for increasing unit area productivity.

All irrigation projects shall, in addition to the criteria enumerated above, be subjected to a social cost-benefit analysis.

SEC. 29. Simplified Public Bidding. – The construction, repair, rehabilitation, improvement, or maintenance of irrigation projects and facilities shall follow the Commission on Audit (COA) rules on simplified public bidding.

Irrigation projects undertaken by farmers, farmers' organizations and other private entities whose funding is partly or wholly acquired by way of loan from government financial institutions shall not be subject to the bidding requirements of the government.

SEC. 30. *National Irrigation Systems (NIS)*. – The National Irrigation Administration (NIA) shall continue to plan, design, develop, rehabilitate and improve the NISs. It shall continue to maintain and operate the major irrigation structures including the headwork's and main canals.

In addition, the NIA is mandated to gradually turn over operation and maintenance of the National Irrigation System's secondary canals and on-farm facilities to Irrigators' Associations.

SEC. 31. *Communal Irrigation Systems (CIS)*. – The Department shall, within five (5) years from the effectivity of this Act, devolve the planning, design and management of CISs, including the transfer of NIA's assets and resources in relation to the CIS, to the LGUs. The budget for the development, construction, operation and maintenance of the CIS and other types of irrigation systems shall be prepared by and coursed through the LGUs. The NIA shall continue to provide technical assistance to the LGUs even after complete devolution of the Irrigation Systems to the LGUs, as may be deemed necessary.

SEC. 32. *Minor Irrigation Schemes*. – The Department shall formulate and develop a plan for the promotion of a private sector-led development of minor irrigation systems, such as Shallow Tube Wells (STWs), Low-Lift pumps (LLPs) and other inundation systems. The plan shall be included in the Short-term Agriculture and Fisheries Modernization Plan.

SEC. 33. *Other Irrigation Construction Schemes*. – The Government shall also encourage the construction of irrigation facilities through other viable schemes for the construction of

irrigation such as build-operate-transfer, build-transfer and other schemes that will fast-track the development of irrigation systems.

SEC. 34. *Guarantee of the National Government.* – To make build-operate-transfer (BOT) projects for irrigation attractive to proponents, the national government shall issue the needed payment guarantee for BOT projects which shall answer for default of the National Irrigation Administration. Such amounts needed to answer for the payment guarantee is hereby to be appropriated.

SEC. 35. *Irrigation Service Fees (ISF).* – Upon effectivity of this Act, the NIA shall immediately review the ISF rates and recommend to the Department reasonable rates within six (6) months from the effectivity of this Act.

SEC. 36. *Monitoring and Evaluation.* – The Department shall monitor the implementation of R & D programs and irrigation projects. The Department shall review all existing irrigation systems every four (4) years, to determine their viability or ineffectiveness. The Department shall employ the services of independent evaluators to assess the over-all impact of the country's irrigation development.

SEC. 37. *Exemption from Election Ban.* – The repair, maintenance and rehabilitation of irrigation facilities as well as BOT irrigation projects shall be exempted from the scope of the election ban on public works.

Chapter 5

Information and Marketing Support Service

SEC. 38. *Declaration of Policy.* – It is hereby declared the policy of the State to empower Filipino farmers and fisherfolk, particularly the women, involved in agriculture and fisheries through the provision of timely, accurate and responsive business information and efficient trading services which will link them to profitable markets for their products. They shall likewise be given

innovative support toward the generation of maximum income through assistance in marketing.

SEC. 39. *Coverage.* – A market information system shall be installed for the use and benefit of, but not limited to, the farmers and fisherfolk, cooperatives, traders, processors, the LGUs and the Department.

SEC. 40. *The Marketing Assistance System.* – The Department shall establish a National Marketing Assistance Program that will immediately lead to the creation of a national marketing umbrella in order to ensure the generation of the highest possible income for the farmers and fisherfolk or groups of farmers and fisherfolk, matching supply and demand in both domestic and foreign markets.

SEC. 41. *National Information Network.* – A National Information Network (NIN) shall be set up from the Department level down to the regional, provincial and municipal offices within one (1) year from the approval of this Act taking into account existing information networks and systems.

The NIN shall likewise link the various research institutions for easy access to data on agriculture and fisheries research and technology. All departments, agencies, bureaus, research institutions, and local government units shall consolidate and continuously update all relevant information and data on a periodic basis and make such data available on the Internet.

SEC. 42. *Information and Marketing Service.* – The NIN shall provide information and marketing services related to agriculture and fisheries which shall include the following:

- a) Supply data;
- b) Demand data;
- c) Price and price trends;
- d) Product standards for both fresh and processed agricultural and fisheries products;

- e) Directory of, but not limited to, cooperatives, traders, key market centers, processors and business institutions concerned with agriculture and fisheries at the provincial and municipal levels;
- f) Research information and technology generated from research institutions involved in agriculture and fisheries;
- g) International, regional and local market forecasts; and
- h) Resource accounting data.

SEC. 43. *Initial Set-up.* – The Department shall provide technical assistance in setting-up the NIN at the local level through the cooperatives and the LGUs: *Provided, That*, at the local level, a system that will make marketing information and services related to agriculture and fisheries will be readily available in the city/municipal public market for the benefit of the producers, traders and consumers.

SEC. 44. *Role of Government Agencies.* – The Bureau of Agricultural Statistics will serve as the central information server and will provide technical assistance to end-users in accessing and analyzing product and market information and technology.

The Department of Transportation and Communications shall provide technical and infrastructure assistance to the Department in setting up the NIN.

LGUs shall coordinate with the Department for technical assistance in order to accelerate the establishment and training of information end-users in their respective jurisdictions.

The Cooperative Development Authority shall coordinate with the Department for technical assistance in order to provide training assistance to cooperatives in the use and analysis of market information and technology.

SEC. 45. *Role of Private Sector.* – The NIN shall likewise be accessible to the private sector engaged in agriculture and fisheries enterprises. The Department shall formulate guidelines and determine fees for private sector entities that use the NIN.

Chapter 6

Other Infrastructure

SEC. 46. *Agriculture and Fisheries Infrastructure Support Services.* – The Department of Public Works and Highways, the Department of Transportation and Communications, the Department of Trade and Industry and the LGUs shall coordinate with the Department to address the infrastructure requirements in accordance with this Act: *Provided, That*, the Department and the LGUs shall also strengthen its agricultural engineering groups to provide the necessary technical and engineering support in carrying out the smooth and expeditious implementation of agricultural infrastructure projects.

SEC. 47. *Criteria for Prioritization.* – The prioritization of government resources for rural infrastructure shall be based on the following criteria:

- a) Agri-industrial potential of the area;
- b) Socio-economic contributions of the investments in the area;
- c) Absence of public investment in the area; and
- d) Presence of agrarian reform beneficiaries and other small farmers and fisherfolk in the area.

SEC. 48. *Public Infrastructure Facilities.* – Public infrastructure investments shall give preference to the kind, type, and model of infrastructure facilities that are cost-effective and will be useful for the production, conservation, and distribution of most commodities and should benefit the most number of agriculture and fisheries producers and processors.

SEC. 49. *Private Infrastructure Facilities.* – For infrastructure facilities primarily benefiting private investors, the State shall facilitate the purchase and use of such facilities and shall keep to the minimum the bureaucratic requirements for these types of

investments. Private investors include cooperatives or corporations of agriculture of fisheries producers and processors.

SEC. 50. *Public Works Act.* – The Department of Public Works and Highways shall coordinate with the Department for the purpose of determining the order of priorities for public works funded under the Public Works Act which directly or indirectly affect agriculture and fisheries.

SEC. 51. *Fishports, Seaports and Airports.* – The Department of Transportation and Communications, Philippine Ports Authority and Philippine Fisheries Development Authority shall coordinate with the Department for the purpose of determining priority fishports, seaports and airports and facilitating the installation of bulk-handling and storage facilities, and other post-harvest facilities needed in order to enhance the marketing of agriculture and fisheries products: *Provided*, That fishports, seaports and airports are also equipped with quarantine, sanitary and phytosanitary centers. The Department of Transportation and Communications (DOTC) shall have the mandate to cancel arrastre and cargo handling franchises among operators whom it deems inefficient and/or ineffective owing, but not limited to, a past history of undercapitalization, lack of equipment and lack of professional expertise. The DOTC shall recommend to the Philippine Ports Authority and consult with ship-owners and ship-operators in assessing the cargo-handling capabilities of cargo operators prior to extending new franchises or awards.

SEC. 52. *Farm-to-Market Roads.* – The Department shall coordinate with the LGUs and the resident-farmers and fisherfolk in order to identify priority locations of farm-to-market roads that take into account the number of farmers and fisherfolk and their families who shall benefit therefrom and the amount, kind and importance of agricultural products produced in the area.

Construction of farm-to-market roads shall be a priority investment of the LGUs which shall provide a counterpart of not

less than ten percent (10%) of the project cost subject to their IRA level.

SEC. 53. *Rural Energy.* – The Department shall coordinate with the Department of Energy (DOE), the Department of Public Works and Highways (DPWH), the National Electrification Administration (NEA) and the National Power Corporation (NAPOCOR) for the identification and installation of appropriate types of energy sources particularly in the use of non-conventional energy sources for the locality in order to enhance agriculture and fisheries development in the area.

SEC. 54. *Communications Infrastructure.* – The Department shall coordinate with the DOTC to facilitate the installation of telecommunication facilities in priority areas, in order to enhance agriculture and fisheries development.

SEC. 55. *Water Supply System.* – The Department shall coordinate with the DPWH and the LGUs for the identification and installation of water supply system in the locality for agro-industrial uses to enhance agriculture and fisheries development in the area.

SEC. 56. *Research and Technology Infrastructure.* – The Department in coordination with other government agencies shall give priority and facilitate the funding of infrastructure necessary for research ventures such as farm laboratories and demonstration farms with state colleges and universities that derive their core funds from the Department.

SEC. 57. *Post-Harvest Facilities.* – The Department shall coordinate with the Bureau of Post-Harvest for Research and Extension and the Post-Harvest Horticulture, Training and Research Center of the University of the Philippines Los Baños, to identify appropriate post-harvest facilities and technology needed to enhance agriculture and fisheries development in the area.

SEC. 58. *Public Market and Abattoirs.* – The Department shall encourage the LGUs to turn over the management and supervision

of public markets and abattoirs to market vendors' cooperatives and for that purpose, the appropriation for post-harvest facilities shall include the support for market vendors' cooperatives.

The Department shall coordinate with the LGUs in the establishment of standardized market systems and use of sanitary market facilities, and abattoirs, intended to ensure food safety and quality.

All markets shall have a sanitation unit, proper and adequate drainage and sewerage system, ample water supply, public toilets with lavatories, garbage receptacles, ice plants and cold storage, adequate lighting and ventilation and supply of electricity to ensure cleanliness and sanitation. Price monitoring bulletin boards for selected commodities and weighing scales accessible to the public shall also be established.

Proper protection and preservation of agriculture and fisheries products being sold in the market shall also be observed. All foods which require no further cooking shall be wrapped, covered, or enclosed in containers to preserve the freshness and prevent contamination. Selling or products on market floors shall be prohibited.

SEC. 59. *Agricultural Machinery.* – The Department shall give priority to the development and promotion of appropriate agricultural machinery and other agricultural mechanization technologies to enhance agricultural mechanization in the countryside.

Chapter 7 Product Standardization and Consumer Safety

SEC. 60. *Declaration of Policy.* – It is the policy of the State that all sectors involved in the production, processing, distribution and marketing of food and non-food agricultural and fisheries products shall adhere to, and implement the use of product standards in

order to ensure consumer safety and promote the competitiveness of agriculture and fisheries products.

SEC. 61. *Bureau of Agriculture and Fisheries Product Standards.* – The Department, within six (6) months after the approval of this Act, and in consultation with the Department of Trade and Industry and the Bureau of Food and Drug, shall establish the Bureau of Agriculture and Fisheries Product Standards (BAFPS).

SEC. 62. *Coverage.* – The BAFPS shall set and implement standards for fresh, primary- and secondary-processed agricultural and fishery products.

SEC. 63. *Powers and Functions.* – The BAFPS shall have the following powers and functions:

a) Formulate and enforce standards of quality in the processing, preservation, packaging, labeling, importation, exportation, distribution, and advertising of agricultural and fisheries products;

b) Conduct research on product standardization, alignment of the local standards with the international standards; and

c) Conduct regular inspection of processing plants, storage facilities, abattoirs, as well as public and private markets in order to ensure freshness, safety and quality of products.

SEC. 64. *Pool of Experts and Advisers.* – The BAFPS may coordinate, seek the services of, and consult with both private and governmental agencies, research institutes, educational establishments and such other individuals and entities with expertise in the field of product standards and consumer safety.

The Department of Trade and Industry, the Food and Nutrition Research Institute, and the Bureau of Food and Drug Administration shall provide technical advice and form part of the pool of experts/advisers of the BAFPS.

TITLE 2

HUMAN RESOURCE DEVELOPMENT

SEC. 65. *Declaration of Policy.* – It is hereby declared the policy of the State to give priority to education and training on science and technology in order to accelerate social progress and promote total human liberation and development.

The State shall promote industrialization and full employment, based on sound agriculture and fisheries development and agrarian reform, through industries that make full and efficient use of human and natural resources.

SEC. 66. *National Agriculture and Fisheries Education System (NAFES).* – The Commission on Higher Education (CHED), in coordination with the Department and appropriate government agencies, shall establish a National Agriculture and Fisheries Education System (NAFES) which shall have the following objectives:

a) to establish, maintain and support a complete and integrated system of agriculture and fisheries education relevant to the needs of the economy, the community and society;

b) to modernize and rationalize agriculture and fisheries education from the elementary to the tertiary levels;

c) to unify, coordinate and improve the system of implementation of academic programs that are geared toward achieving agriculture and fisheries development in the country; and

d) to upgrade the quality, ensure sustainability and promote global competitiveness, at all levels, of agriculture and fisheries education.

SEC. 67. *Education Program for Elementary and Secondary Levels.* – There is hereby established an Agriculture and Fisheries Education Program, under the NAFES, specially designed for elementary and secondary levels. The program shall be formulated,

organized and implemented by the DECS with the following objectives:

- a) to develop appropriate values that form the foundation for sustained growth in agriculture and fisheries modernization;
- b) to increase the attractiveness of agriculture and fisheries education, so that more young and talented persons will look at agriculture and fisheries as an acceptable option for career and livelihood;
- c) to promote appreciation of science in agriculture and fisheries development;
- d) to develop among students, positive attitudes towards entrepreneurship and global competition in the agriculture and fisheries business;
- e) to improve the present curriculum in the elementary and secondary levels by emphasizing the core values necessary for agriculture and fisheries modernization; and
- f) to develop an outreach program where students, parents and the schools become instruments in effecting positive changes in the pupil's home and community.

SEC. 68. *Post-Secondary Education Program.* – There is hereby established a Post-Secondary Education Program for Agriculture and Fisheries under the NAFES, which shall be formulated and developed by TESDA in coordination with the appropriate government agencies and the private sector. The program shall include, among others, the following:

- a) a mechanism for a flexible process of curriculum development;
- b) integration of the dual training system in the various agricultural curricula and training programs;
- c) integration of entrepreneurship and global competitiveness in the agro-fisheries curricula;
- d) institutionalizing agriculture and fisheries skills standards and technician testing and certification;
- e) regular upgrading of learning/training facilities, school buildings, laboratory equipment; and

f) development of a system for the strict enforcement of school regulations regarding standards and requirements.

SEC. 69. Network of National Centers of Excellence for Tertiary Education. – There is hereby established a Network of National Centers of Excellence in Agriculture and Fisheries Education, composed of qualified public and private colleges and universities, duly accredited as National Centers of Excellence (NCE) in the field of agriculture and fisheries.

For this purpose, the CHED shall formulate and implement a system of accreditation: *Provided*, That not more than one provincial institute in every province and no more than one national university in each field in every region shall be accredited as such: and *Provided, further*, That the system shall be based on the following criteria:

- a) institutional accessibility, population, economic contribution of agriculture and fisheries in the community, and the needs or unique requirements of the area;
- b) quantity and quality of research studies conducted;
- c) degree of utilization of research results;
- d) quantity and quality of faculty members;
- e) type of facilities;
- f) linkage with international organizations; and
- g) potential contribution to agriculture and fisheries development in the target area.

SEC. 70. Rationalization Plan. – For the purpose of upgrading and maintaining a high degree of academic excellence in the fields of agriculture and fisheries, all existing public and private colleges and universities that are not hereinafter designated and accredited as centers of excellence shall be given adequate time to redirect its program to non-agriculture and/or non-fisheries areas needed by the province or region and/or merge their program with accredited NCEs in accordance with the Rationalization Plan to be jointly formulated by CHED and the Philippine Association of State Universities and Colleges (PASUC) upon consultation with the institution concerned.

The Rationalization Plan shall include a policy for the effective utilization of affected personnel and facilities, and shall not be construed as to result in the decrease of the budget allocation for the state universities and colleges concerned.

SEC. 71. *Counterpart Funding from LGUs.* – The LGUs shall, within two (2) years from the effectivity of this Act, provide at least ten percent (10%) of the Maintenance and Other Operating Expenses (MOOE) budget for the operation of the provincial institutes within their area of responsibility.

In consultation with the LGUs, the CHED shall develop a provincial-national partnership scheme for a reasonable sharing of financial support taking into account social equity factors for poor provinces.

SEC. 72. *National Integrated Human Resource Development Plan in Agriculture and Fisheries.* – The CHED, in coordination with the Department and appropriate government agencies, shall formulate, develop and implement an integrated human resource development plan in agriculture and fisheries which shall serve as an instrument that will provide over-all direction in setting priorities in curricular programs, enrollment, performance targets, and investment programs.

SEC. 73. *Output-Oriented Performance Standards.* – In order to ensure institutional accountability, efficiency, and quality, there shall be formulated and developed an Output-Oriented Performance Standards which shall serve as the primary instrument for institutional evaluation.

For this purpose, all public and private universities and colleges, that are designated as centers of excellence, shall cause to be installed a computerized monitoring and evaluation system that periodically collects and regularly measures variables indicating institutional performance based on the Output-Oriented Performance Standards.

SEC. 74. *Evaluation System.* – Not later than one (1) year from the effectivity of this Act, the CHED shall establish a baseline information using the Output-Oriented Performance Standards referred to in Section 73 of this Title. Once every five (5) years thereafter, all designated NCEs in agriculture and fisheries shall be subject to a third party evaluation.

The evaluation shall include, among others, management and educational experts of national stature and representatives of key sectors of the agriculture and fisheries industries, as well as representatives of the Department, the Department of Environment and Natural Resources, the Department of Science and Technology, and the National Economic and Development Authority.

SEC. 75. *Agriculture and Fisheries Board.* – There shall be created an Agriculture and Fisheries Board in the Professional Regulation Commission to upgrade the Agriculture and Fisheries profession.

Those who have not passed the Civil Service Examination for Fisheries and Agriculture but have served the industry in either private or public capacity for not less than five (5) years shall be automatically granted eligibility by the Board of Examiners.

The first board examination for B.S. Fisheries and/or Agriculture Graduates shall be conducted within one (1) year from the approval of this Act.

SEC. 76. *Continuing Agriculture and Fisheries Education Program.* – The Commission on Higher Education, the Department of Education, Culture and Sports and Technical Education and Skills Development Authority, in coordination with the Department and the public and private universities and colleges, shall formulate and develop a National and Integrated Continuing Agriculture and Fisheries Education Program, which shall address the current education and training requirements of teachers, professors and educators in agriculture and fisheries.

For this purpose, pre-service and in-service training of teachers in Home Economics Livelihood Education (HELE) for the primary level and Technology and Home Economics (THE) for the secondary level, shall be upgraded.

SEC. 77. *Scholarship Program.* – The CHED, in coordination with public and private universities and colleges, TESDA and the DBM, shall develop a national scholarship program that provides opportunities for deserving academic staff to pursue advanced degrees in agriculture and fisheries. Where appropriate, such scholarship program shall also provide opportunities for graduate work in foreign universities.

SEC. 78. *Merit System.* – To promote the development of scientific excellence and academic scholarship, the public and private universities and colleges, in cooperation with the CHED and the DBM, shall institute an output-oriented unified system of promotion for academic personnel.

SEC. 79. *Budgetary Allocation Scheme.* – The Budgetary Allocation Scheme for NAFES shall be as follows:

a) The current appropriation or budgets of state universities and colleges, that are herein designated as NCEs, shall continue and shall be modified and adjusted in succeeding years in order to meet the standards of the rationalized programs of the institutions as approved by Congress and shall be included in the annual General Appropriations Act;

b) NCEs that are created under this Act shall likewise be provided with budgetary support based on their programs and new staffing pattern as approved by DBM and shall be included in the annual General Appropriations Act.

TITLE 3

RESEARCH DEVELOPMENT AND EXTENSION

Chapter 1

Research and Development

SEC. 80. *Declaration of Policy.* – It is hereby declared the policy of the State to promote science and technology as essential for national development and progress.

The State shall likewise give priority to research and development, invention, innovation, and their utilization and to science and technology education, training, and services. In addition to appropriate and relevant technology, the State shall support indigenous and self-reliant scientific and technological capabilities, and their application to the country's productive system and national life.

SEC. 81. *The National Research and Development System in Agriculture and Fisheries.* – The Department, in coordination with the Department of Science and Technology and other appropriate agencies and research institutions shall enhance, support and consolidate the existing National Research and Development System in Agriculture and Fisheries within six (6) months from the approval of this Act: *Provided*, That fisheries research and development shall be pursued separately, from but in close coordination with that of agriculture.

SEC. 82. *Special Concerns in Agriculture and Fisheries Research Services.* – Agriculture and Fisheries Research and Development activities shall be multidisciplinary and shall involve farmers, fisherfolk and their organizations, and those engaged in food and non-food production and processing, including the private and public sectors.

Research institutions and centers shall enjoy autonomy and academic freedom. The Department, in collaboration with the Department of Science and Technology and other appropriate agencies, shall harmonize its merit and output-oriented promotion system governing the scientific community in order to promote increased research excellence and productivity and provide the government research system a competitive edge in retaining its scientific personnel.

Appropriate technology shall be used to protect the environment, reduce cost of production, improve product quality and increase value-added for global competitiveness.

SEC. 83. *Funds for Research and Development.* – Considering the nature of research, development and extension activities, funding shall be based on the following guidelines:

a) Allocation of multi-year budgets which shall be treated as research and development grants.

b) The budget for agriculture and fisheries research and development shall be at least one percent (1%) of the Gross Value Added (GVA) by year 2001 allocating at least one percent (1%) of the total amount by 1999. The Department of Finance (DOF) in consultation with the Department shall formulate revenue enhancement measures to fund this facility.

c) At least twenty percent (20%) shall be spent in support of basic research and not more than eighty percent (80%) shall be used for applied research and technology development, of which at least ten percent (10%) shall be used for technology packaging and transfer activities.

d) A science fund shall be established from which the scientific community in agriculture and fisheries shall draw its financial resource for sustained career development: *Provided*, That only the interest earnings of the funds shall be used.

The Department and other research agencies, in the national interest, are encouraged to go into co-financing agreements with the private sector in the conduct of research and development provided

that the terms and conditions of the agreement are beneficial to the country.

SEC. 84. *Excellence and Accountability in Research and Development.* – The Department, in collaboration with the Department of Science and Technology and other appropriate government agencies, shall formulate the national guidelines in evaluating research and development activities and institutions, which shall involve an independent and interdisciplinary team of collegial reviewers and evaluators.

SEC. 85. *Communication of Research Results and Research-Extension Linkage.* – Research information and technology shall be communicated through the National Information Network (NIN).

All government agencies including the State colleges and universities and private educational institutions selected as NCEs shall be computerized, networked, provided with regular updated information, and shall likewise provide, through the NIN, results of research and development activities and current available technology relating agriculture and fisheries.

Chapter 2

Extension Services

SEC. 86. *Declaration of Policy.* – It is hereby declared the policy of the State to promote science and technology as essential for national development and progress. The State shall give priority to the utilization of research results through formal and non-formal education, extension, and training services. It shall support the development of a national extension system that will help accelerate the transformation of Philippine agriculture and fisheries from a resource-based to a technology-based industry.

SEC. 87. *Extension Services.* – Agriculture and Fisheries extension services shall cover the following major services to the farming and fishing community:

- a) Training services;
- b) Farm or business advisory services;
- c) Demonstration services; and
- d) Information and communication support services through tri-media.

SEC. 88. *Special Concerns in the Delivery of Extension Services.* – The delivery of Agriculture and Fisheries Extension Services shall be multidisciplinary and shall involve the farmers, fisherfolk, and their organizations, and those engaged in food and non-food production and processing, including the private and public sectors.

There shall be a national merit and promotion system governing all extension personnel, regardless of source of funding, to promote professionalism and achieve excellence and productivity in the provision of the government extension services.

SEC. 89. *The National Extension System for Agriculture and Fisheries (NESAF).* – The Department, in coordination with the appropriate government agencies, shall formulate a National Extension System for Agriculture and Fisheries.

The National Extension System for Agriculture and Fisheries shall be composed of three (3) subsystems:

- a) The national government subsystem which directly complements;
- b) The local government subsystems; and
- c) The private sector subsystem.

SEC. 90. *The Role of Local Government Units.* – The LGUs shall be responsible for delivering direct agriculture and fisheries extension services.

The provincial governments shall integrate the operations for the agriculture extension services and shall undertake an annual evaluation of all municipal extension programs.

The extension program of state colleges and universities shall primarily focus on the improvement of the capability of the LGU extension service by providing

- a) Degree and non-degree training programs;
- b) Technical assistance;
- c) Extension cum research activities;
- d) Monitoring and evaluation of LGU extension projects; and
- e) Information support services through the tri-media and electronics.

SEC. 91. *Role of the Private Sector in Extension.* – The Department shall encourage the participation of farmers and fisherfolk cooperatives and associations and others in the private sector in training and other complementary extension services especially in community organizing, use of participatory approaches, popularization of training materials, regenerative agricultural technologies, agribusiness and management skills.

The Department is hereby authorized to commission and provide funding for such training and extension services undertaken by the private sector.

SEC. 92. *The Role of Government Agencies.* – The Department, together with state colleges and universities shall assist in the LGUs' extension system by improving their effectiveness and efficiency through capability-building and complementary extension activities such as:

- a) technical assistance;
- b) training of LGU extension personnel;
- c) improvement of physical facilities;
- d) extension cum research; and
- e) information support services.

SEC. 93. *Funding for Extension Activities.* – Extension activities shall be supported by the following measures:

- a) allocation of multi-year budgets that shall be treated as grants;
- b) allow transfer of funds from the Department to the local government units as extension grants, and
- c) the budget for agriculture and fisheries extension services shall be at least one percent (1%) of the gross value added (GVA) by year 2001.

SEC. 94. *Excellence and Accountability in Extension.* – The Department shall formulate the guidelines in evaluating extension activities and institutions, which shall involve an independent and interdisciplinary team of collegial reviewers and evaluators.

SEC. 95. *Extension Communication Support for LGUs.* – The Department, in coordination with the public and private universities and colleges, shall develop an integrated multimedia support for national and LGU extension programs. The Department shall assist the LGUs in the computerization of communication support services to clients and linkages to the NIN.

TITLE 4

RURAL NON-FARM EMPLOYMENT

Chapter 1

SEC. 96. *Declaration of Policy.* – It is hereby declared the policy of the State to promote full employment. Economic history, however, shows that as an economy modernizes the number of workers employed in its agricultural sector declines. It is therefore necessary to formulate policies and implement programs that will employ workers efficiently in rural areas in order to improve their standard of living, and reduce their propensity to migrate to urban areas.

SEC. 97. *Objectives.* – Rural non-farm employment aims to

- a) promote a basic needs approach to rural development;

- b) make rural workers more adaptable and flexible through education and training;
- c) promote rural industrialization and the establishment of agro-processing enterprises in rural communities; and
- d) increase the income of rural workers.

Chapter 2

The Basic Needs Program

SEC. 98. *Principles.* – The Department, in coordination with the appropriate government agencies, shall formulate the Basic Needs Program to create employment and cushion the effects of liberalization based on the following principles:

- a) No credit subsidies shall be granted. The normal rules of banking shall apply to all enterprises involved, provided that existing credit arrangements with ARBs shall not be affected.
- b) Enterprises can use training, information, advisory and related services of the Government free of charge.
- c) The participation of the private sector shall be voluntary.

Teams composed of specialists from government agencies and the private sectors shall develop pilot programs in selected locales to establish the planning, implementation and evaluation procedures.

SEC. 99. *Participation of Government Agencies.* – The replication of the program shall be the responsibility of the local government units concerned in collaboration with the appropriate government agencies, and the private sector. The local government units shall bear the costs of promoting and monitoring the basic needs program for which their IRA shall be increased accordingly as recommended by the Secretary of the Department: *Provided,* That the appropriate national government agencies shall continue to provide the necessary technical as well as financial assistance to the LGUs in the replication of the program.

The Cooperatives Development Authority shall encourage the establishment and growth of associations and cooperatives as vehicles for the stable expansion of basic needs enterprises.

The Department of Education, Culture and Sports, Department of Health, and the Technical Education and Skills Development Authority shall coordinate with the Department and Congress in the review, rationalization and reallocation of their regular budgets as well as their budgets under the GATT-related measures fund to finance education, training, health and other welfare services for farmers and fisherfolks.

Chapter 3

Rural Industrialization Industry Dispersal Program

SEC. 100. *Principles.* – Rural industrialization and industry dispersal programs shall be based on the interplay of market forces. The Board of Investments (BOI) is hereby required to give the highest priority to the grant of incentives to business and industries with linkages to agriculture.

SEC. 101. *Role of Government Agencies.* – The appropriate government agencies, under the leadership of the LGUs concerned, shall provide integrated services and information to prospective enterprises under the one-stop-shop concept.

Local government units are authorized to undertake investment and marketing missions provided that the costs of such missions are borne by the LGUs concerned. In making their land use plans, the LGUs, in consultation with the appropriate government agencies concerned, shall identify areas for industrial parks.

The Department shall coordinate with the Department of Trade and Industry, in particular, the Board of Investments, in the formulation of investment priorities for rural areas.

The Regional Wage Boards shall consult participating enterprises in this program before they issue wage orders.

SEC. 102. *Participating Enterprises.* – Participating enterprises may request any government agency for training, technical and advisory services free of cost.

A set of incentives shall be given to enterprises that subcontract part of their production to farmers, fisherfolks and landless workers during periods when they are not engaged in agricultural activities.

SEC. 103. *Financing.* – Except for basic infrastructure and other goods that benefit all citizens, the facilities of this program should be undertaken and financed by the private sector.

Chapter 4

Training of Workers

SEC. 104. *Role of TESDA.* – TESDA shall organize local committees that will advise on the scope, nature and duration of training for the above-mentioned programs.

TESDA is authorized to request the additional budgetary resources for these programs: *Provided*, that after a reasonable period, the task of coordinating the training is transferred to the LGUs concerned.

SEC. 105. *Role of the DENR.* – The Department and the DENR shall organize the training of workers in coastal resources management and sustainable fishing techniques.

SEC. 106. *Role of the Technology and Livelihood Resource Center (TLRC).* – The TLRC shall undertake field training in entrepreneurship and management of workers involved in the basic needs program.

SEC. 107. *Special Training Projects for Women.* – The Department, in collaboration with the appropriate government agencies concerned, shall plan and implement special training projects for women for absorption in the basic needs and rural industrialization programs.

TITLE 5

TRADE AND FISCAL INCENTIVES

SEC. 108. Taxation policies must not deter the growth of value-adding activities in the rural areas.

SEC. 109. All enterprises engaged in agriculture and fisheries as duly certified by the Department in consultation with the Department of Finance and the Board of Investments, shall, for five (5) years after the effectivity of this Act, be exempted from the payment of tariff and duties for the importation of all types of agriculture and fisheries inputs, equipment and machinery such as, but not limited to, fertilizer, insecticide, pesticide, tractor, trailers, trucks, farm implements and machinery, harvesters, threshers, hybrid seeds, genetic materials, sprayers, packaging machinery and materials, bulk-handling facilities such as conveyors and mini loaders, weighing scales, harvesting equipment, spare parts of all agricultural equipment, fishing equipment and parts thereof, refrigeration equipment, and renewable energy systems such as solar panels: *Provided, however,* That the imported agricultural and fishery inputs, equipment and machinery shall be for the exclusive use of the importing enterprise.

The Department, in consultation with the Department of Finance and the Board of Investments, shall, within ninety (90) days from the effectivity of this Act, formulate the implementing rules and regulations governing the importation of agriculture and fishery inputs, equipment and machinery.

SEC. 110. Any person, partnership, corporation, association and other juridical entity found circumventing the provisions of

Section 109 of this Act shall suffer the penalty of imprisonment for a period of not less than six (6) months but not more than one (1) year, or a fine equivalent to two hundred percent (200%) of the value of the imported materials, or both, at the discretion of the court, and the accessory penalties of confiscation of the imported goods in favor of the government and revocation of the privileges given under this title.

In cases where the violator is a juridical entity, the officers responsible in the violation of Section 109 shall suffer the penalty of imprisonment prescribed in this section.

The importation of goods equivalent to or exceeding the declared assets of the enterprise, partnership, or the authorized capital stock in case of corporations, and/or the resale of the imported goods shall be a *prima facie* evidence of the violation of the provisions of Section 109 of this Act.

GENERAL PROVISIONS

SEC. 111. *Initial Appropriation.* – For the first year of implementation of this Act, the amount of Twenty billion pesos (P20,000,000,000.00) is hereby appropriated. The Department is hereby authorized to re-align its appropriations in the current year of the date of effectivity of this Act to conform with the requirements of this Act: *Provided*, That the amount shall be allocated and disbursed as follows:

1) Thirty percent (30%) for irrigation;

2) Ten percent (10%) for post-harvest facilities: *Provided*, That the Secretary of Agriculture may invest up to fifty percent (50%) of the said amount to fund post-harvest facilities of cooperatives, especially market vendors' cooperatives, where said cooperatives exist and are operational: *Provided, further*, That if no cooperatives are operational, said amount shall fund the post-harvest facilities of the market-assistance system;

3) Ten percent (10%) for other infrastructure including fishports, seaports, and airports, farm-and-coast-to-market roads, rural energy, communications infrastructure, watershed rehabilitation, water supply system, research and technology infrastructure, public markets and abattoirs;

4) Ten percent (10%) for the Agro-industry Modernization Credit and Financing Program (AMCFP) to be deposited by the Department in participating rural-based public and private financial institutions provided that no less than fifty percent (50%) of said funds shall be deposited in rural banks and cooperative banks;

5) Eight percent (8%) for the implementation of the Farmer-Fisherfolk Marketing Assistance System and support of market vendors' cooperatives.

6) Ten percent (10%) for research and development, four percent (4%) of which shall be used to support the Biotechnology Program;

7) Five percent (5%) for capability-building of farmers and fisherfolk organizations and LGUs for the effective implementation of the agriculture and fisheries programs at the local level;

8) Six percent (6%) for salary supplement of Extension Workers under the LGUs;

9) Five percent (5%) for NAFES, for the upgrading of the facilities of State Universities and Colleges that will be chosen as national centers of excellence in agriculture and fisheries education;

10) Four percent (4%) for the National Information Network (NIN) consisting of both the national and local levels;

11) One-and-three-fourth percent (1.75%) for SUC- and TESDA- administered Rural Non-Farm Employment Training; and

12) One-fourth percent (0.25%) for the identification of the SAFDZs.

SEC. 112. *Continuing Appropriation.* – The Department of Budget and Management (DBM) is hereby mandated to include annually in the next six (6) years, in the President’s program of expenditures for submission to Congress, and release, an amount not less than Seventeen billion pesos (P17,000,000,000.00), for the implementation of this Act.

Additional funds over and above the regular yearly budget of the Department shall be sourced from twenty percent (20%) of the proceeds of the securitization of government assets, including the Subic, Clark and other special economic zones.

Other sources of funds shall be from the following:

a) Fifty percent (50%) of the net earnings of the Public Estates Authority;

b) Loans, grants, bequest, or donations, whether from local or foreign sources;

c) Forty Percent (40%) of the TESDA Skills Development Fund;

d) Net proceeds from the privatization of the Food Terminal, Inc. (FTI), the Bureau of Animal Industry (BAI), the Bureau of Plant Industry (BPI), and other assets of the Department that will be identified by the DA Secretary and recommended to the President for privatization;

e) Proceeds from the Minimum Access Volume (MAV) in accordance with the provisions of Republic Act No. 8178;

f) Poverty Alleviation Fund; and

g) Fifty percent (50%) of the Support Facilities and Services Fund under Republic Act No. 6657.

SEC. 113. *Implementing Rules and Regulations.* – The Secretary, within ninety (90) working days after the effectivity of this Act, together with the Department of Agrarian Reform (DAR), Department of Environment and Natural Resources (DENR),

Department of Finance (DOF), Department of Science and Technology (DOST), Department of Trade and Industry (DTI), Commission on Higher Education (CHED), Technical Education and Skills Development Authority (TESDA), Department of Education, Culture and Sports (DECS), Department of Social Services and Development (DSSD), National Economic and Development Authority (NEDA), Department of Budget and Management (DBM), Department of Labor and Employment (DOLE), Commission on Audit (COA), Civil Service Commission (CSC), in consultation with other agencies concerned, farmers, fisherfolk and agri-business organizations, and in coordination with the Congressional Oversight Committee on Agriculture and Fisheries Modernization, shall promulgate the rules and regulations for the effective implementation of this Act.

The Secretary shall submit to the Committee on Agriculture of both Houses of Congress copies of the implementing rules and regulations within thirty (30) days after their promulgation.

Any violation of this section shall render the official/s concerned liable under Republic Act No. 6713 otherwise known as the “Code of Conduct and Ethical Standards for Public Officials and Employees” and other existing administrative and/or criminal laws.

SEC. 114. *Congressional Oversight Committee on Agricultural and Fisheries Modernization.* – A Congressional Oversight Committee on Agricultural and Fisheries Modernization is hereby created to be composed of the Chairs of the Committee on Agriculture of both Houses, six (6) members of the House of Representatives and six (6) members of the Senate, to be designated respectively by the Speaker of the House and the President of the Senate, who shall endeavor to have the various sectors and regions of the country represented.

The Chairs of the Committees on Agriculture in the Senate and House of Representatives, shall be, respectively, the Chair and Co-Chair of the Oversight Committee. The other members shall receive no compensation; however, traveling and other necessary expenses shall be allowed.

The Committee shall oversee and monitor the implementation of the Congressional Commission on Agricultural Modernization (AGRICOM) recommendations as well as all programs, projects and activities related to agriculture and fisheries, and its allied concerns in both public and private sectors, with a view to providing all legislative support and assistance within the powers of Congress to ensure their inclusion, wherever feasible, in the national, regional, provincial, municipal, and sectoral development plans, to recommend the disposal of assets no longer needed by the Department to fund the modernization program, and to see them through their successful implementation.

SEC. 115. *Powers and Functions of the Committee.* – The Congressional Oversight Committee on Agriculture and Fisheries Modernization shall have the following powers and functions:

- a) Prescribe and adopt guidelines that will govern its work;
- b) Hold hearings, receive testimonies and reports pertinent to its specified concerns;
- c) Secure from any department, bureau, office or instrumentality of the Government such assistance as may be needed, including technical information, preparation and production of reports and submission of recommendations or plans as it may require;
- d) Summon by subpoena any public or private citizen to testify before it, or require by *subpoena duces tecum* to produce before it such records, reports or other documents as may be necessary in the performance of its functions;
- e) Use resource persons from the public and private sectors as may be needed;
- f) Carry on the winding-up work of AGRICOM, such as editing and printing all technical reports and studies as well as bibliographic cataloguing of its collection of source materials, continue its information and advocacy work;
- g) Cause to be transferred to the Committee all works, outputs, source materials and assets, funds, supplies and equipment of AGRICOM;

h) Approve the budget for the work of the Committee and all disbursements therefrom, including compensation of all personnel;

i) Organize its staff and hire and appoint such employees and personnel whether temporary, contractual or on consultancy, subject to applicable rules; and

j) Generally, to exercise all the powers necessary to attain the purposes for which it is created.

SEC. 116. *Periodic Reports.* – The Committee shall submit periodic reports on its findings and make recommendations on actions to be taken by Congress and the appropriate departments, and that in order to carry out the objectives of this Act, an initial amount of Twenty million pesos (P20,000,000.00) is hereby appropriated for the Oversight Committee for the first year of its operation.

SEC. 117. *Automatic Review.* – Every five (5) years after the effectivity of this Act, an independent review panel composed of experts to be appointed by the President shall review the policies and programs in the Agriculture and Fisheries Modernization Act and shall make recommendations, based on its findings, to the President and to both Houses of Congress.

SEC. 118. *Repealing Clause.* – All laws, decrees, executive issuance, rules and regulations inconsistent with this Act are hereby repealed or modified accordingly.

SEC. 119. *Separability Clause.* – The provisions of this Act are hereby declared to be separable, and in the event one or more of such provisions are held unconstitutional, the validity of the other provisions shall not be affected thereby.

SEC. 120. *Effectivity.* – This Act shall take effect thirty (30) days from the date of its publication in the *Official Gazette* or in at least two (2) newspapers of general circulation.

Approved,

(Sgd.) JOSE DE VENECIA, JR. (Sgd.) ERNESTO M. MACEDA
Speaker of the House *President of the Senate*
of Representatives

This Act, which is a consolidation of Senate Bill No. 2245 and House Bill No. 2 was finally passed by the Senate and the House of Representatives on December 15, 1997 and December 16, 1997, respectively.

(Sgd.) ROBERTO P. NAZARENO (Sgd.) LORENZO E. LEYNES, JR.
Secretary General Secretary of the Senate
House of Representatives

Approved: DECEMBER 22, 1997

(Sgd.) FIDEL V. RAMOS
President of the Philippines

10th Congress
S. No. 556
H. No. 6861

Republic of the Philippines
CONGRESS OF THE PHILIPPINES
Metro Manila

Tenth Congress
Third Regular Session

REPUBLIC ACT NO. 8486

AN ACT MERGING THE PHILIPPINE COTTON CORPORATION AND THE COTTON RESEARCH AND DEVELOPMENT INSTITUTE INTO A COTTON DEVELOPMENT ADMINISTRATION, VESTING IT WITH REGULATORY POWERS AND APPROPRIATING FUNDS FOR THE PURPOSE

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

SECTION 1. Title. – This Act shall be known as the “Cotton Industry Development Law of 1998.”

SEC. 2. *Declaration of Principles and Policy.* – Consistent with the priority placed by Government on developing the agricultural sector as the cornerstones of the Philippine economy, and cognizant of the potential contribution of cotton-growing to the nation, it is hereby declared a policy of the State to develop the cotton industry in the country to its fullest potential. In this connection, the State shall safeguard the interest of small cotton farmers.

The State shall provide the necessary support to cotton industry development through appropriate services in cotton production, research, extension and training, financial assistance and other support services. It shall prescribe and strictly enforce

regulations and quality control standards needed to safeguard cotton-growers.

The State shall fully exploit the industry's potentials to increase the farmers' income, reduce imports of cotton lint and generate foreign exchange revenues.

SEC. 3. *Merger of the Philippine Cotton Corporation (PCC) and the Cotton Research and Development Institute (CRDI) into a Cotton Development Administration (CODA).* – The PCC is hereby merged with the CRDI to form a single entity to be known as the Cotton Development Administration (CODA) to serve as the country's cotton development authority. The CODA shall be an attached agency of the Department of Agriculture.

SEC. 4. *Objectives.* – The CODA shall have the following objectives:

a. To improve the quality of life of Filipino farmers through cotton-growing in the areas suitable for the crop;

b. To safeguard the profitability of cotton farmers through their adoption of prescribed technology; and

c. To ensure that cotton is planted only during the times prescribed and only in areas specifically identified as suitable for cotton-growing; and that only properly certified seed is used.

SEC. 5. *Functions.* – The CODA shall have the following functions:

a. To undertake research studies on all aspects of the industry, including pilot studies, and to ensure strong and effective linkages between research and extension;

b. To package and disseminate recommended production technology to guide cotton production activities in the country;

c. To design and implement a specialized extension program on cotton production, and other training and communications program for manpower development in the various aspects of industry operations;

d. To promulgate and enforce rules and regulations to govern cotton production, particularly with regard to closed season planting; the production, distribution, and use of planting seeds; the areas for cotton-growing; pest control, and other quarantine measures;

e. To identify suitable areas for cotton-growing and promote production in such areas;

f. To support and enhance efforts of cotton farmers in organizing themselves into cotton farmers' association;

g. To produce breeder, foundation and registered seeds; set and enforce standards and procedures for seed production and marketing; supervise certified seed production by private cotton seed growers;

h. To provide ginning services to small cotton farmers;

i. To provide assistance to small farmers in the marketing of their cotton produce;

j. To design and implement an industry monitoring and information system;

k. To undertake industry manpower development;

l. To assist farmers in sourcing funds for cotton production;

m. To conduct regular consultations with the cotton farmers, growers, and all other sectors involved in the cotton industry;

n. To design and administer a package of incentives to promote private sector investments in the cotton industry;

o. To develop the export potentials of cotton; and

p. In general, to undertake all other functions as may be necessary to ensure the success of the cotton industry and promote the interests of small cotton growers.

SEC. 6. *Powers.* – The CODA shall have the following powers:

1. To administer and regulate the cotton industry in the Philippines;

2. To incur any obligation or enter into contract with any person, material or juridical, domestic or foreign, essential to the proper administration of its affairs and the accomplishment of its purposes and objectives;

3. To own, purchase, lease, mortgage, encumber or otherwise dispose of real and personal property in accordance with its purposes and objectives;

4. To accept and receive financial and other support from private and other sources for the development and promotion of the cotton industry;

5. To promulgate and enforce rules and regulations on the production of cotton;

6. To impose administrative sanctions for violation of the rules and regulations issued by the CODA;

7. To establish, operate and maintain testing and experimental stations;

8. To accredit associations/confederations of cotton farmers, growers, textile millers, ginnerers and other associations involved with the cotton industry; and

9. To undertake measures to ensure that small farmers receive a fair price for their produce.

SEC. 7. *The Governing Board of the CODA.* – The CODA shall be governed by a Board, composed as follows:

- a. Secretary of Agriculture, as ex-officio Chairman;
- b. Secretary of Trade and Industry;
- c. Secretary of Agrarian Reform;
- d. Executive Director, Philippine Textile Research Institute;
- e. Director, Philippine Council for Agriculture and Resources Research and Development;
- f. One (1) representative from among the government financial institutions to be appointed by the President of the Philippines upon the recommendation of the Secretary of Agriculture;
- g. One (1) representative from among the textile millers to be appointed by the President of the Philippines upon the recommendation of the association of textile millers duly accredited by the CODA;
- h. One (1) representative from among the ginners appointed by the President of the Philippines upon the recommendation of the association of ginners duly accredited by the CODA; and
- i. Three (3) representatives from the cotton farmers associations to be appointed by the President of the Philippines upon the recommendation of their respective confederations in Luzon, Visayas and Mindanao duly accredited by the CODA.

SEC. 8. *Term of office of the members of the Governing Board.*
– Unless sooner removed for cause by their respective associations,

appointed members of the Governing Board shall hold office for a period of two (2) years from the date of their appointments.

Section 9. *Powers and functions of the Board.* – The Governing Board shall act as the policy making body of CODA to formulate policies, promulgate regulations and prescribe rules to attain CODA’s purposes and objectives.

SEC. 10. *Organization.* – An Administrator who shall be appointed by the President of the Philippines, upon the recommendation of the Secretary of Agriculture shall be the Chief Executive Officer of CODA. He shall be assisted by two (2) Deputy Administrators to be appointed by the President upon recommendation of the Secretary of Agriculture.

The Board shall determine and create the organizational structure of CODA to achieve its objectives, and shall appoint all other officers of the CODA.

SEC. 11. *Promulgation of Rules and Regulations.* – The Governing Board shall promulgate rules and regulations for the full implementation of this Act within ninety (90) days of its effectivity. Such rules and regulations shall take effect upon publication in a newspaper of general circulation and shall be amended by the Governing Board from time to time as it may deem appropriate.

SEC.12. *Prohibited Acts.* – The following acts are expressly prohibited:

(a) Planting of cotton at times other than those prescribed by CODA; and

(b) Sale, distribution, and planting of cotton seeds not previously certified by the Bureau of Plant Industry.

SEC. 13. *Authority to Cut and Burn.* – For the purpose of safeguarding the interest of other affected farmers and the long-term survival of the industry, the CODA, after thorough investigation

and upon observance of due process, shall cut and burn all cotton planted outside the prescribed planting season or with seeds not previously certified by the Bureau of Plant Industry.

SEC. 14. *Dissolution of the Philippine Cotton Corporation (PCC) and the Cotton Research and Development Institute (CRDI).* – Subject to the provisions of existing laws, the PCC and the CRDI, are hereby dissolved. All functions, assets, liabilities, records, appropriation, properties, facilities and equipment of PCC and the CRDI are hereby transferred to CODA except those under the administration of the APT.

SEC. 15. *Transitory Provisions.* – Upon approval of this Act, the officers and employees of the Philippine Cotton Corporation (PCC) and the Cotton Research and Development Institute (CRDI) shall continue to serve in a hold-over capacity, perform their respective duties and responsibilities, and receive the corresponding salaries and benefits, until a new staffing pattern shall have been approved by the Governing Board.

The new position structure and staffing pattern of CODA shall be approved and implemented by the Governing Board within one hundred twenty (120) days from the approval of this Act, and the authorized positions created thereunder shall be filled with regular appointments by the Board or by the Administrator, as the case may be. Those incumbents whose positions are not included therein or are not reappointed shall be paid retirement or separation benefits equivalent to one and one-fourth (1¼) month basic salary for every year of their respective government service or the nearest equivalent fraction thereof favorable to them on the basis of the highest salary which they respectively received in the course of their employment in the government: *Provided*, That in no case shall the benefit to be paid to any official or employee be less than Ten thousand pesos (P10,000.00): *Provided, further*, That any official or employee who has previously been found guilty in an administrative proceeding and whose rank or salary has been reduced shall be paid on the basis of his last salary.

In addition to the benefits herein authorized, the covered officials and employees shall be entitled to the return of GSIS personnel contributions pertaining to the retirement only and the payment of the corresponding share of the Government with the interest earned pursuant to existing rules and regulations of the Government Service Insurance System. They shall likewise be entitled to the commutation of unused vacation and sick leaves in accordance with existing rules and regulations: *Provided*, That those who retire after rendering government services for thirty-one (31) years or more and avail themselves of the incentive benefits provided in this Act shall be entitled to an additional ten percent (10%) of the amount corresponding to what they receive from thirty-first year onward.

The application for retirement or voluntary separation shall be accepted unless the services of the applicant shall be deemed necessary.

SEC. 16. *Appropriation.* – There is hereby authorized to be appropriated from the National Treasury not otherwise appropriated, the sums necessary to carry into effect the provisions of this Act: *Provided*, That thereafter, it shall be included in the General Appropriations Act.

SEC. 17. *Separability Clause.* – If, for any reason, any section or provision of this Act shall be held unconstitutional, other provisions hereof shall not be affected and shall remain in full force and effect.

SEC. 18. *Supplementary Application of Existing Legislation.* – All existing legislation regarding the cotton industry, not inconsistent with this law shall have supplementary effect.

SEC. 19. *Repealing Clause.* – All laws, issuances, decrees or parts thereof inconsistent with the provisions of this Act are hereby repealed.

SEC. 20. *Effectivity Clause.* – This Act shall take effect upon its approval.

Approved: February 11, 1998

10th Congress
S. No. 2170
H. No. 4808

REPUBLIC ACT NO. 8532

AN ACT STRENGTHENING FURTHER THE COMPREHENSIVE AGRARIAN REFORM PROGRAM (CARP), BY PROVIDING AUGMENTATION FUND THEREFOR, AMENDING FOR THE PURPOSE SECTION 63 OF REPUBLIC ACT NO. 6657, OTHERWISE KNOWN AS “THE CARP LAW OF 1988”

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

SECTION 1. Section 63 of Republic Act No. 6657, otherwise known as the Comprehensive Agrarian Reform Law of 1988 is hereby amended to read as follows:

“SECTION 63. *Funding Source.* - The amount needed to implement this Act until the year 2008 shall be funded from the Agrarian Reform Fund.

“Additional amounts necessary for this purpose are hereby authorized to be appropriated in excess of the initial funds, amounting to Fifty billion pesos (P50,000,000,000) provided under Sections 20 and 21 of Executive Order No. 229.

“The additional amount hereby authorized to be appropriated shall in no case exceed Fifty billion pesos (P50,000,000,000).

“Sources of funding or appropriations shall include the following:

“a) Proceeds of the sales of the Assets Privatization Trust;

“b) All receipts from assets recovered and from sales of ill-gotten wealth recovered through the Presidential Commission on Good Government;

“c) Proceeds of the disposition of the properties of the Government in foreign countries, for the specific purposes of financing production credits, infrastructure and other support services required by this Act;

“d) All income and collections arising from the agrarian reform operations, projects and programs of CARP implementing agencies;

“e) Portion of amounts accruing to the Philippines from all sources of official foreign aid grants and concessional financing from all countries, to be used for the specific purposes of financing production, credits, infrastructures, and other support services required by this Act;

“f) Yearly appropriations of no less than Three billion pesos (P3,000,000,000) from the General Appropriations Act;

“g) Other government funds not otherwise appropriated.”

SEC. 2. This Act shall take effect within fifteen (15) days following the completion of its publication in at least two (2) newspapers of general circulation.

Approved, February 23, 1998.

13th Congress
S. No. 1136
H. No. 5992

REPUBLIC ACT NO. 8748

AN ACT AMENDING REPUBLIC ACT NO. 7916, OTHERWISE KNOWN AS THE “SPECIAL ECONOMIC ZONE ACT OF 1995”

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

SECTION 1. Chapter II, Section 11 of Republic Act No. 7916 is hereby amended to read as follows:

“SEC. 11. *The Philippine Economic Zone Authority (PEZA) Board.* — There is hereby created a body corporate to be known as the Philippine Economic Zone Authority (PEZA) attached to the Department of Trade and Industry. The Board shall have a director general with the rank of department undersecretary who shall be appointed by the President. The director general shall be at least forty (40) years of age, of proven probity and integrity, and a degree holder in any of the following fields: economics, business, public administration, law, management or their equivalent, and with at least ten (10) years relevant working experience preferably in the field of management or public administration.

“The director general shall be assisted by three (3) deputy directors general each for policy and planning, administration and operations, who shall be appointed by the PEZA Board, upon the recommendation of the director general. The deputy directors general shall be at least thirty-five (35) years old, with proven probity and integrity and a degree holder in any of the following fields: economics, business, public administration, law, management or their equivalent.

“The Board shall be composed of thirteen (13) members as follows: the Secretary of the Department of Trade and Industry as

Chairman, the Director General of the Philippine Economic Zone Authority as Vice chairman, the undersecretaries of the Department of Finance, the Department of Labor and Employment, the Department of the Interior and Local Government, the Department of Environment and Natural Resources, the Department of Agriculture, the Department of Public Works and Highways, the Department of Science and Technology, the Department of Energy, the Deputy Director General of the National Economic and Development Authority, one (1) representative from the labor sector, and one (1) representative from the investors/business sector in the ECOZONE. In case of the unavailability of the Secretary of the Department of Trade and Industry to attend a particular board meeting, the Director General of PEZA shall act as Chairman.”

X X X

SEC. 2. Chapter II, Section 15 of Republic Act No. 7916 is likewise amended to read as follows:

“SEC. 15. *Administration of Each ECOZONE.* — Except for privately-owned, managed or operated ECOZONES, each ECOZONE shall be organized, administered, managed and operated by the ECOZONE executive committee composed of the following:

X X X

“Privately-owned ECOZONES shall retain autonomy and independence but shall be monitored by the PEZA for the implementation of incentives and operations for adherence to the law.”

SEC. 3. Chapter II, Section 16 of Republic Act No. 7916 is likewise amended to read as follows:

“SEC. 16. *Personnel.* — The PEZA Board of Directors shall provide for an organization and staff of officers and employees of the PEZA, and upon recommendation of the director general with the approval of the Secretary of the Department of Trade and Industry,

appoint and fix the remunerations and other emoluments: *Provided*, That the Board shall have exclusive and final authority to promote, transfer, assign or reassign officers of the PEZA, any provision of existing law to the contrary notwithstanding: *Provided, further*, That the director general may carry out removal of such officers and employees.

“All positions in the PEZA shall be governed by a compensation, position classification system and qualification standards approved by the director general with the concurrence of the Board of Directors based on a comprehensive job analysis and audit of actual duties and responsibilities. The compensation plan shall be comparable with the prevailing compensation plans in the Subic Bay Metropolitan Authority (SBMA), Clark Development Corporation (CDC), Bases Conversion and Development Authority (BCDA) and the private sector and shall be subject to periodic review by the Board no more than once every two (2) years without prejudice to yearly merit reviews or increases based on productivity and profitability. The PEZA shall therefore be exempt from existing laws, rules and regulations on compensation, position classification and qualification standards. It shall however endeavor to make its system conform as closely as possible with the principles under Republic Act No. 6758.

“The PEZA officers and employees including all Members of the Board shall not engage directly or indirectly in partisan activities or take part in any election, except to vote.

“No officer or employee of the PEZA subject to Civil Service laws and regulations shall be removed or suspended except for cause, as provided by law.”

SEC. 4. Chapter III, Section 24 of Republic Act No. 7916 is hereby amended to read as follows:

“SEC. 24. *Exemption from National and Local Taxes.* — Except for real property taxes on land owned by developers, no taxes, local and national, shall be imposed on business establishments operating

within the ECOZONE. In lieu thereof, five percent (5%) of the gross income earned by all business enterprises within the ECOZONE shall be paid and remitted as follows:

“(a) Three percent (3%) to the National Government;

“(b) Two percent (2%) which shall be directly remitted by the business establishments to the treasurer’s office of the municipality or city where the enterprise is located.”

SEC. 5. Chapter III, Section 25 of Republic Act No. 7916 is hereby amended to read as follows:

“SEC. 25. *Applicable National and Local Taxes.* — All persons and service establishments in the ECOZONE shall be subject to national and local taxes under the National Internal Revenue Code and the Local Government Code.”

SEC. 6. Chapter III, Section 29 of Republic Act No. 7916 is hereby amended to read as follows:

“SEC. 29. *Eminent Domain.* — x x x

“If in the establishment of a publicly-owned ECOZONE, any person or group of persons who has been occupying a parcel of land within the Zone has to be evicted, the PEZA shall provide the person or group of persons concerned with proper disturbance compensation: *Provided, however,* That in the case of displaced agrarian reform beneficiaries, they shall be entitled to the benefits under the Comprehensive Agrarian Reform Law, including but not limited to Section 36 of Republic Act No. 3844, in addition to a homelot in the relocation site, and preferential employment in the project being undertaken.”

SEC. 7. Chapter VI, Section 50 of Republic Act No. 7916 is hereby amended to read as follows:

“SEC. 50. *Non-Applicability on Areas Covered by Republic Act No. 7227.* — This Act shall not be applicable to economic zones and areas already created or to be created under Republic Act No. 7227 or other special laws, and governed by authorities constituted pursuant thereto.”

SEC. 8. *Effectivity Clause.* — This Act shall take effect after fifteen (15) days following its publication in the *Official Gazette* or in two (2) newspapers of general circulation whichever comes earlier.

Approved, June 1, 1999

S. No. 1582
H. No. 8879

Republic of the Philippines
CONGRESS OF THE PHILIPPINES
Metro Manila

Eleventh Congress
Second Regular Session

REPUBLIC ACT NO. 8758

AN ACT EXTENDING THE TERM OF THE COMMITTEE ON
PRIVATIZATION AND THE ASSET PRIVATIZATION
TRUST AMENDING FOR THE PURPOSE REPUBLIC ACT
NUMBERED SEVEN THOUSAND ONE HUNDRED EIGHTY-
ONE, AS AMENDED

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

SECTION 1. Section 1 of Republic Act No. 7181, as amended
by Republic Act No. 7661 and Republic Act No. 7886, is hereby
further amended to read as follows:

“SECTION 1. The term of the Committee on Privatization
and the Asset Privatization Trust created by Proclamation No.
50 ‘Proclaiming and Launching a Program for the Expeditious
Disposition and Privatization of Certain Government Corporations
and/or the Assets thereof, and Creating the Committee on
Privatization and the Asset Privatization Trust’ is hereby extended
from January 01, 2000 to December 31, 2000.

“During the said extension period, the Committee on
Privatization and the Asset Privatization Trust shall continue to
exercise the powers, duties and responsibilities provided under
Proclamation No. 50, as amended: *Provided*, That all disposition of
any and all assets shall be primarily for cash: *Provided, however*,

That the use of government financial instruments and sales by installment may be allowed: *Provided, further*, That the Committee on Privatization shall serve as the central agency of the privatization program and, accordingly, is further empowered:

“(a) To designate the disposition entity for all assets intended for privatization, including all assets and properties recovered by the Presidential Commission on Good Government (PCGG) and government idle properties; and

“(b) When necessary, to appoint a representative to the governing board of a government corporation or corporation with government transferred assets which has been identified for privatization who shall, for all purpose of facilitating privatization, have the powers and privileges of a member of such board, except the right to vote: *Provided*, That such appointee shall not receive any additional salary or emolument by reason of such appointment: *Provided, further*, That the appointee shall not be eligible for employment in any capacity whatsoever in the said corporation within two (2) years after privatization.

“Upon the effectivity of this Act, all receipts from the sale of assets of the Asset Privatization Trust shall be remitted to the National Treasury in the following proportion: sixty percent (60%) to the special account of the Agrarian Reform Fund and forty percent (40%) to the general fund: *Provided, however*, That within the ten-year period of implementation of the Comprehensive Agrarian Reform Program the total initial amount of Fifty billion pesos (P50,000,000,000.00) shall be satisfied and completed from all sources pursuant to the pertinent provisions of Republic Act No. 6657 and Executive Order No. 229, dated July 1987: *Provided, further*, That except for subsidiaries of the Government Service Insurance System and the Social Security System, all government-owned and -controlled corporations shall remit to the National Government at least fifty percent (50%) of the net proceeds derived from the sale of shares or assets effective October 1, 1992: *Provided, finally*, That net proceeds shall mean gross proceeds less related liabilities and selling expenses.

“Upon approval of this Act, the Commission on Audit shall undertake an examination of all the assets and liabilities remaining with Asset Privatization Trust. The Commission on Audit shall complete the examination within one hundred eighty (180) days.

“The financial assets shall, upon the expiration of the term of the Asset Privatization Trust, be transferred for disposition by the President of the Philippines to a trust department of the appropriate government financial institution. The physical assets remaining at the end of the term of the Asset Privatization Trust shall immediately be transferred to the appropriate government agency for disposition.

“There shall be no disposition of properties during the last thirty (30) days of the term which shall be devoted exclusively to the liquidation of the Asset Privatization Trust and the Committee on Privatization and the preparation for turnover of its assets, records and properties to the appropriate government office which will handle its disposition.

“All assets held by the Asset Privatization Trust, all moneys and other properties belonging to it, and all its liabilities outstanding upon the expiration of its term shall revert to and be assumed by the National Government.

“All cash advances and unsettled obligations incurred after the effectivity of this law by the officers and employees of the Committee on Privatization and the Asset Privatization Trust, as finally determined by the proper agency or court of law, must be liquidated on or before December 31, 2000.

“(c) The decision of the Asset Privatization Trust and the Committee on Privatization on the sale and disposition of assets shall be final without need of concurrence by the owner and/or the custodian agency or corporation of the asset.”

SEC. 2. Upon the expiration of the terms of the Committee on Privatization and the Asset Privatization Trust, all their powers,

function, duties and responsibilities, all properties, real or personal assets, equipment and records, as well as their obligations and liabilities, shall devolve upon the National Government.

SEC. 3. All laws, orders, decrees, proclamations, rules and regulations or parts thereof which are inconsistent with any of the provisions of this Act are hereby repealed or modified accordingly.

SEC. 4. This Act shall take effect after its publication in two (2) newspaper of general circulation.

Approved, December 28, 1999

S. No. 2129
H. No. 7883

Republic of the Philippines
CONGRESS OF THE PHILIPPINES
Metro Manila

Eleventh Congress
Third Regular Session

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

REPUBLIC ACT NO. 9054

AN ACT TO STRENGTHEN AND EXPAND THE ORGANIC
ACT FOR THE AUTONOMOUS REGION IN MUSLIM
MINDANAO, AMENDING FOR THE PURPOSE REPUBLIC
ACT NO. 6734, ENTITLED 'AN ACT PROVIDING FOR THE
AUTONOMOUS REGION IN MUSLIM MINDANAO', AS
AMENDED

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

PREAMBLE

The people of the Autonomous Region in Muslim Mindanao, imploring the aid of Almighty God, in order to develop a just and humane society and establish a Regional Autonomous Government that is truly reflective of their ideals and aspirations within the framework of the Constitution and national sovereignty, as well as the territorial integrity of the Republic of the Philippines, and to secure to themselves and their posterity the blessings of autonomy, democracy, peace, justice and equality, do ordain and promulgate this Organic Act through the Congress of the Philippines.

ARTICLE I

Name and Purpose

SECTION 1. The name of the Autonomous Region shall be the Autonomous Region in Muslim Mindanao unless provided otherwise by the Regional Assembly.

The Autonomous Region in Muslim Mindanao shall be governed by the Regional Government.

ARTICLE II

THE AUTONOMOUS REGION

Area and Seat of Government

SECTION 1. *Expanded Autonomous Region.* — (1) The Autonomous Region in Muslim Mindanao which, under the provisions of Republic Act No. 6734, the Organic Act for the Autonomous Region in Muslim Mindanao, is composed of the four provinces of Lanao del Sur, Maguindanao, Sulu and Tawi-Tawi, is hereby expanded to include the provinces and cities, enumerated hereunder, which vote favorably to be included in the expanded area of the autonomous region and for other purposes, in a plebiscite called for that purpose in accordance with Section. 18, Article X of the Constitution.

The new area of autonomy shall then be determined by the provinces and cities that will vote/choose to join the said autonomy. It is understood that Congress may by law which shall be consistent with the Constitution and in accordance with the provisions of Republic Act No. 7160, the Local Government Code of 1991, provide that clusters of contiguous-Muslim-dominated municipalities voting in favor of autonomy be merged and constituted into a new province(s) which shall become part of the new Autonomous Region.

(2) *Plebiscite Coverage.* The plebiscite shall be conducted in the provinces of Basilan, Cotabato, Davao del Sur, Lanao del Norte, Lanao del Sur, Maguindanao, Palawan, Sarangani, South Cotabato, Sultan Kudarat, Sulu, Tawi-Tawi, Zamboanga del Norte, Zamboanga del Sur and the newly created Province of Zamboanga Sibugay, and (b) in the cities of Cotabato, Dapitan, Dipolog, General Santos, Iligan, Kidapawan, Marawi, Pagadian, Puerto Princesa, Digos, Koronadal, Tacurong and Zamboanga.

(a) PLEBISCITE QUESTION FOR VOTERS OF THE FOUR ORIGINAL PROVINCES OF THE AUTONOMOUS REGION. For the voters of the provinces of Maguindanao, Lanao del Sur, Sulu and Tawi-Tawi which are already members of the autonomous region under the provisions of Republic Act No. 6734, the Organic Act for the Autonomous Region in Muslim Mindanao, the question to be asked in the plebiscite of the voters therein shall be as follows: Do you vote in favor of the amendments to Republic Act No. 6734, the Organic Act for the Autonomous Region in Muslim Mindanao, as proposed under this Organic Act, which includes, among other things, the expansion of the area of the autonomous region?

(b) PLEBISCITE QUESTION FOR THE VOTERS OF THE PROVINCES AND CITIES PROPOSED FOR INCLUSION IN THE EXPANDED AUTONOMOUS REGION. For the voters of the provinces of Basilan, Cotabato, Davao del Sur, Lanao del Norte, Palawan, Sarangani, South Cotabato, Sultan Kudarat, Zamboanga del Norte, Zamboanga del Sur, and the newly created Province of Zamboanga Sibugay, and the cities of Cotabato, Dapitan, Dipolog, Digos, Koronadal, Tacurong, General Santos, Iligan, Kidapawan, Marawi, Pagadian, Puerto Princesa, and Zamboanga, which compose the provinces and cities that are proposed for inclusion in the expanded area of the autonomous region, the question to be asked in the plebiscite of the voters therein shall be as follows: Do you vote in favor of the inclusion of your province or city in the Autonomous Region in Muslim Mindanao?

SEC. 2. *Results of the Plebiscite.* — (a) In the four provinces. If the majority of the voters of the four provinces of Lanao del Sur

Maguindanao, Sulu, and Tawi-Tawi vote in favor of the above-mentioned proposed amendments, the amendments are deemed ratified. Otherwise, the amendments are deemed rejected except as regards the inclusion of the provinces and cities that vote for their inclusion in the autonomous region as provided in this Organic Act, in which case, the said provinces and cities shall become members of the autonomous region.

(b) In the provinces or cities proposed for inclusion in the expanded area of the autonomous region. A majority of the votes cast in the plebiscite in every province or city in favor of the inclusion of the province or city as members of the expanded area of the autonomous region as provided in this Organic Act shall effect their membership in the autonomous region.

SEC. 3. *Seat of Autonomous Government.* — The regional legislative assembly, hereinafter referred to as the Regional Assembly, shall by law, fix the permanent seat of government of the regional government in any province or city that is a member of the autonomous region, taking into consideration accessibility and efficiency in which its mandate may be carried out under this Organic Act.

Until the seat of the regional government is transferred as provided above, its provisional seat shall be in Cotabato City. The Regional Assembly elected after the plebiscite mentioned in this Organic Act, shall, within its term, identify the site of the permanent seat of the regional government. The central government which shall also mean the national government shall appropriate funds for the transfer of the provisional seat to its permanent site as determined by the Regional Assembly.

ARTICLE III

Guiding Principles and Policies

SECTION 1. *Integral Part of the Republic.* — The Autonomous Region in Muslim Mindanao shall remain an integral and

inseparable part of the national territory of the Republic as defined by the Constitution and existing laws.

The autonomous region shall be governed and administered in accordance with the laws enacted by the Regional Assembly and by this Organic Act.

SEC. 2. *Peaceful Settlement of Conflicts.* — The Regional Autonomous Government shall adopt the policy of settlement of conflicts by peaceful means, and renounce any form of lawless violence as an instrument of redress.

SEC. 3. *Devolution of Powers.* — The regional government shall adopt a policy on local autonomy whereby regional powers shall be devolved to local government units particularly in areas of education, health, human resource, science and technology and people empowerment. Until a law implementing this provision is enacted by the Regional Assembly, Republic Act No. 7160, the Local Government Code of 1991, shall continue to apply to all the provinces, cities, municipalities, and barangay within the autonomous region.

The Regional Assembly may not pass any law to diminish, lessen, or reduce the powers, functions, and shares in the internal revenue taxes of the said local government units as provided by Republic Act No. 7160, the Local Government Code of 1991.

SEC. 4. *Charters Govern Cities.* — All chartered cities within the autonomous region shall continue to be governed by their charters. Nothing in this Organic Act shall be construed as to diminish the powers and functions already enjoyed by these cities.

SEC. 5. *Customs, Traditions, Religious Freedom Guaranteed.* — The beliefs, customs, and traditions of the people in the autonomous region and the free exercise of their religions as Muslims, Christians, Jews, Buddhists, or any other religious denomination in the said region are hereby recognized, protected and guaranteed.

The Regional Assembly shall adopt measures to ensure mutual respect for and protection of the distinct beliefs, customs, and traditions and the respective religions of the inhabitants thereof, be they Muslims, Christians, Jews, Buddhists, or any other religious denomination. The Regional Assembly, in consultation with the Supreme Court and consistent with the Constitution may formulate a Shari'ah legal system including the criminal cases which shall be applicable in the region, only to Muslims or those who profess the Islamic faith. The representation of the regional government in the various central government or national government bodies as provided for by Article V, Section 5 shall be effected upon approval of the measures herein provided.

The Shari'ah courts shall have jurisdiction over cases involving personal, family and property relations, and commercial transactions, in addition to their jurisdiction over criminal cases involving Muslims.

The Regional Assembly shall, in consultation with the Supreme Court, determine the number and specify the details of the jurisdiction of these courts.

No person in the autonomous region shall be subjected to any form of discrimination on account of creed, religion, ethnic origin, parentage or sex.

The regional government shall ensure the development, protection, and well-being of all indigenous tribal communities. Priority legislation in this regard shall be enacted for the benefit of those tribes that are in danger of extinction as determined by the Southern Philippines Cultural Commission.

SEC. 6. Filipino and Islamic Values In Educational Policies.
— The regional government shall adopt educational policies that shall perpetuate Filipino and Islamic values and ideals and the just aspirations of the Bangsa Moro with due respect to the beliefs, customs, traditions, and religions of the other non-Muslim

inhabitants of the region be they Christians, Jews, Buddhists, or of any other religious denomination.

SEC. 7. *Improving Status of the Marginalized.* — The regional government shall devote its resources to the improvement of the well-being of all its constituents, particularly the marginalized, deprived, disadvantaged, underprivileged, disabled, and the elderly.

SEC. 8. *Regional Government Authority Over Natural Resources.* — Subject to the provisions of the Constitution and this Organic Act, the Regional Government shall have the authority, power and right to explore, develop and utilize the natural resources including surface and sub-surface rights, in-land and coastal waters, and renewable and non-renewable resources in the autonomous region. Muslims and the other indigenous cultural communities shall, however, have priority rights to explore, develop and utilize the said resources in the areas designated as parts of their respective ancestral domains.

SEC. 9. *Preferential Rights of Inhabitants and Their Safeguards.* — The autonomous region shall provide manpower training programs, create livelihood and job opportunities, allocate equitable preferential rights to its inhabitants, and adopt laws that will safeguard the rights of workers.

SEC. 10. *Protection Of Women and Children.* — The Regional Government shall uphold and protect the fundamental rights of women and children including the right of women to engage in lawful employment. Women and children, especially orphans of tender age, shall be protected from exploitation, abuse or discrimination.

SEC. 11. *Enhancement of Quality of Life.* — The Regional Government shall provide, maintain, and ensure the delivery of, among other things, basic and responsive health programs, quality education, appropriate services, livelihood opportunities, affordable and progressive housing projects, and water resource development.

It shall maintain appropriate disaster-preparedness units for immediate and effective relief services to victims of natural and man-made calamities. It shall also ensure the rehabilitation of calamity areas and victims of calamities.

SEC. 12. *Progressive Tax System.* — The Regional Assembly shall adopt an efficient and progressive system of taxation which, among other things, shall provide incentives for the prompt payment of taxes and penalize tax evasion and delinquency.

SEC. 13. *Equitable Share In National Budget and Development Assistance.* — The central government or national government shall provide the autonomous region a proportionate and equitable share in the annual national budget and foreign assisted projects in addition to other financial assistance, support, and subsidies to accelerate its development. Whenever the Commission on Audit finds that the internal controls set up in the region are inadequate, it may require pre-audit and shall likewise conduct seminars in the communities concerned explaining the benefits and proper use of internal revenue allotments.

SEC. 14. *Rights to Initiatives, Consultations, Referenda and Plebiscites.* — Without prejudice to other rights guaranteed by the Constitution, the rights of the people of the autonomous region to initiate measures for the passage, amendment or repeal of regional or local legislation; to be consulted on matters that affect their environment; to call for a referendum on important issues affecting their lives, and, to recall regional or local officials as provided by Republic Act No. 7160, the Local Government Code of 1991, are hereby recognized.

The Regional Assembly shall enact priority legislation to define such rights. Until such priority legislation is enacted, existing laws shall govern the exercise of the rights mentioned above.

SEC. 15. *Fundamental Rights and Duties of People.* — The fundamental rights and duties of the people in the autonomous region are those defined in the Constitution and this Organic Act,

the Geneva Convention, the United Nations Charter, the United Nations Declaration on the Rights of Indigenous Communities, the International Declaration on Human Rights, as well as those prescribed in all the laws, practices, and principles binding upon members of the community of nations.

SEC. 16. *Human Rights Commission.* — There is hereby created a Regional Human Rights Commission. The chair and two commissioners of the commission shall be appointed by the President upon recommendation of the Regional Governor. The composition of the commission shall reflect the ethnic distribution of the population of the autonomous region. The chair shall be a lawyer and shall be a resident of the autonomous region. The two commissioners shall, preferably, be lawyers or, at least, holders of bachelor degrees from colleges or universities recognized by the Department of Education, Culture and Sports of the central government or national government.

The Regional Human Rights Commission shall perform within the autonomous region, the functions of the commission on human rights of the central government or national government. Decisions of the commission may be appealed to the Court of Appeals on questions of law.

Initially, the Regional Assembly shall fix the salaries, perquisites, and privileges of the chair and the commissioners of the Commission at a level not lower than those fixed for the chair and members of the National Labor Commission. The Commission may provide additional functions to enhance and protect the human rights of all the people in the autonomous region. Thereafter, subject to availability of funds, the Regional Assembly may raise the salaries, perquisites, and privileges of the chair and commissioners.

SEC. 17. *Environment Protection and Sustainable Development.* — The protection, rehabilitation, and the sustainable development of forests, coastal, and marine resources, including the adoption of programs and projects to ensure the maintenance of ecological balance, shall be given priority.

XXX XXX XXX

ARTICLE X

ANCESTRAL DOMAIN, ANCESTRAL LANDS AND AGRARIAN REFORM

SECTION 1. *Ancestral Domain; Lands of Indigenous Cultural Communities.* — Subject to the Constitution and existing laws, the Regional Government shall undertake measures to protect the ancestral domain and ancestral lands of indigenous cultural communities.

All lands and natural resources in the autonomous region that have been possessed or occupied by indigenous cultural communities since time immemorial, except when prevented by war, *force majeure* or other forms of forcible usurpation, shall form part of the ancestral domain. Such ancestral domain shall include pasture lands, worship areas, burial grounds, forests and fields, mineral resources, except strategic minerals such as uranium, coal, petroleum; and other fossil fuels, mineral oils, and all sources of potential energy; lakes, rivers, and lagoons; and national reserves and marine parks, as well as forest and watershed reservations. Until laws are enacted that provide otherwise, fifty (50%) percent of the revenues derived from the utilization and development of such strategic materials shall accrue to the Regional Government and the provinces, cities, municipalities, and barangay in the autonomous region. The sharing between the Regional Government and the local government units in the revenues derived from the strategic materials mentioned above shall be apportioned according to the formula set out in SEC. 5, Article XIII of this Organic Act.

Lands in the actual, open, public, and uninterrupted possession and occupation by an indigenous cultural community for at least thirty (30) years are ancestral lands.

SEC. 2. The constructive or traditional possession of lands and resources by an indigenous cultural community may also be

recognized subject to judicial affirmation, the petition for which shall be instituted within a period of ten (10) years from the effectivity of this Organic Act. The procedure for judicial affirmation of imperfect titles under existing laws shall, as far as practicable, apply to the judicial affirmation of titles to ancestral lands.

The foregoing provisions notwithstanding, titles secured under the Torrens System, and rights already vested under the provisions of existing laws shall be respected.

SEC. 3. As used in this Organic Act, the phrase “indigenous cultural community” refers to Filipino citizens residing in the autonomous region who are:

(a) *Tribal peoples*. These are citizens whose social, cultural and economic conditions distinguish them from other sectors of the national community; and

(b) *Bangsa Moro people*. These are citizens who are believers in Islam and who have retained some or all of their own social, economic, cultural, and political institutions.

SEC. 4. *Cultural Communities*. — The customary laws, traditions, and practices of indigenous cultural communities on land claims and ownership and settlement of land dispute shall be implemented and enforced among the members of such communities.

SEC. 5. *Ecological Balance*. — The proclamations issued by the central government or national government declaring old growth or natural forests and all watersheds within the autonomous region as forest reserves are hereby reiterated. The forest reserves shall not be subjected to logging operations of any nature or kind.

Forest concessions, timber licenses, contracts, or agreements of any kind or nature whatsoever granted by the central government or national government or by the Regional Government as of the date of the approval of this Organic Act, are hereby cancelled,

nullified and voided, and shall not be renewed until thirty (30) years after the approval of this Organic Act.

If the said forest reserves are logged over or are mined by authority or neglect of the Regional Government, the funds provided by the central government or national government including the internal revenue shares of the Regional Government may be withheld, reduced, cancelled, or forfeited by order of the President.

Ten (10%) percent of the shares of the internal revenue taxes of the Regional Government and of the provinces, cities, municipalities, and barangay of the autonomous region and all allocations for the development of the autonomous region by the central government or national government shall be devoted to reforestation projects and other environmental activities to enhance the protection and development of the environment in the autonomous region.

The Regional Government shall require corporations, companies and other entities within the ancestral domain of the indigenous cultural communities whose operations adversely affect the ecological balance to take the necessary preventive measures and safeguards to restore, enhance, and maintain such a balance.

SEC. 6. Unless authorized by the Regional Assembly, lands of the ancestral domain titled to or owned by an indigenous cultural community shall not be disposed of to non-members.

SEC. 7. No portion of the ancestral domain shall be open to resettlement by non-members of the indigenous cultural communities.

SEC. 8. *Regional Land Reform.* — Subject to the provisions of the Constitution, the Regional Assembly may enact an agrarian reform law suitable to the special circumstances prevailing in the autonomous region.

XXX XXX XXX

SEC. 17. *Separability Clause.* — The provisions of this Organic Act are hereby declared to be separate and in the event one or more of such provisions are held unconstitutional, the validity of other provisions shall not be affected thereby.

SEC. 18. *Repealing Clause.* — All laws, decrees, orders, rules and regulations, and other issuances or parts thereof, which are inconsistent with this Organic Act, are hereby repealed or modified accordingly.

SEC. 19. *Effectivity Clause.* — This Organic Act shall take effect after fifteen (15) days following its complete publication in at least two national newspapers of general circulation and one local newspaper of general circulation in the autonomous region.

Lapsed into law on March 31, 2001 without the President's signature, pursuant to Sec. 27 (1), Article VI of the Constitution.

13th Congress
H. No. 786

Republic of the Philippines
Congress of the Philippines
Metro Manila

Thirteenth Congress

Third Special Session

Begun and held in Metro Manila, on Monday, the nineteenth day of
February, two thousand seven.

REPUBLIC ACT NO. 9458

AN ACT DECLARING THE ISLAND-TOWNS OF BIRI, CAPUL, SAN
ANTONIO AND SAN VICENTE, ALL IN THE PROVINCE OF
NORTHERN SAMAR AS ECO-TOURISM ZONES

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

SECTION 1. This Act hereby declares the Island-towns of Biri,
Capul, San Antonio and San Vicente in the Province of Northern
Samar as national tourism zones.

SEC 2. Until comprehensive legislation rationalizing the
national tourism program is adopted, the following principles shall
govern the planning, development, promotion and management of
these tourism zones:

(a) The Department of Tourism (DOT) and its attached
agencies, and the provincial government of Northern Samar shall
coordinate in the formulation of a tourism development plan for
these tourism zones: *Provided*, That said plan is consistent with,
or may be integrated into, the national tourism master plan of the
DOT.

(b) The plan shall protect and enhance the natural features and cultural heritage of the tourism zone, while providing sustainable economic opportunities for the local community.

(c) The relevant local government shall utilize its powers provided under the Local Government Code to implement and enforce the tourism development plan.

(d) The DOT and its attached agencies may provide necessary technical and financial assistance for the development of tourism infrastructure and skills development in the local government while endeavoring, when practicable, to promote the tourism zones both locally and internationally.

(e) The DOT and the local government shall create a forum by which the private sector, nongovernment organizations and other interest groups, can interact with one another and the government to create an atmosphere that shall encourage investment, and the development of a culture of tourism.

(f) The land embraced by the tourism zone shall be exempt from the coverage of the Comprehensive Agrarian Reform Program, and shall be determined by the concerned sanggunian.

SEC 3. The DOT, in consultation with the local government concerned, shall adopt appropriate rules and regulations, and enter into agreements to implement this Act.

SEC 4. This Act shall take effect after fifteen (15) days of completion of its publication.

Approved,

(Sgd.) MANNY VILLAR
President of the Senate

(Sgd.) JOSE DE VENECIA JR.
*Speaker of the House
of Representatives*

This Act which originated in the House of Representatives was finally passed by the House of Representatives and the Senate on February 20, 2007 and February 19, 2007, respectively.

(Sgd.) OSCAR G. YABES
Secretary of the Senate

(Sgd.) ROBERTO P. NAZARENO
*Secretary General
House of Representatives*

Approved: MAY 15 2007

(Sgd.) GLORIA MACAPAGAL-ARROYO
President of the Philippines

H. No. 4312

Republic of the Philippines
CONGRESS OF THE PHILIPPINES
Metro Manila

Fourteenth Congress
Second Regular Session

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

REPUBLIC ACT NO. 9520

AN ACT AMENDING THE COOPERATIVE CODE OF THE
PHILIPPINES TO BE KNOWN AS THE “PHILIPPINE
COOPERATIVE CODE OF 2008”

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

SECTION 1. Articles 1, 2, 3, 4 and 5 of Chapter I on General
Concepts and Principles of Republic Act No. 6938, otherwise known
as the “Cooperative Code of the Philippines” are hereby amended to
read as follows:

CHAPTER I

GENERAL CONCEPTS AND PRINCIPLES

“ARTICLE 1. *Title.* – This Act shall be known as
the “Philippine Cooperative Code of 2008”.

“ART. 2. *Declaration of Policy.* – It is the declared
policy of the State to foster the creation and growth of
cooperatives as a practical vehicle for promoting self-
reliance and harnessing people power towards the
attainment of economic development and social justice.

The State shall encourage the private sector to undertake the actual formation and organization of cooperatives and shall create an atmosphere that is conducive to the growth and development of these cooperatives.

“Toward this end, the Government and all its branches, subdivisions, instrumentalities and agencies shall ensure the provision of technical guidance, financial assistance and other services to enable said cooperatives to develop into viable and responsive economic enterprises and thereby bring about a strong cooperative movement that is free from any conditions that might infringe upon the autonomy or organizational integrity of cooperatives.

“Further, the State recognizes the principle of subsidiarity under which the cooperative sector will initiate and regulate within its own ranks the promotion and organization, training and research, audit and support services relating to cooperatives with government assistance where necessary.

“ART. 3. *General Concepts.* – A cooperative is an autonomous and duly registered association of persons, with a common bond of interest, who have voluntarily joined together to achieve their social, economic, and cultural needs and aspirations by making equitable contributions to the capital required, patronizing their products and services and accepting a fair share of the risks and benefits of the undertaking in accordance with universally accepted cooperative principles.

“ART. 4. *Cooperative Principles.* – Every cooperative shall conduct its affairs in accordance with Filipino culture, good values and experience and the universally accepted principles of cooperation which include, but are not limited to, the following:

“(1) *Voluntary and Open Membership* – Cooperatives are voluntary organizations, open to all persons able to use their services and willing to accept the responsibilities of membership, without gender, social, racial, cultural, political or religious discrimination.

“(2) *Democratic Member Control* – Cooperatives are democratic organizations that are controlled by their members who actively participate in setting their policies and making decisions. Men and women serving as elected representatives, directors or officers are accountable to the membership. In primary cooperatives, members have equal voting rights of one-member, one-vote. Cooperatives at other levels are organized in the same democratic manner.

“(3) *Member Economic Participation* – Members contribute equitably to, and democratically control, the capital of their cooperative. At least part of that capital is the common property of the cooperative. They shall receive limited compensation or limited interest, if any, on capital subscribed and paid as a condition of membership. Members allocate surpluses for any or all of the following purposes: developing the cooperative by setting up reserves, part of which should at least be indivisible; benefitting members in proportion to their patronage of the cooperative’s business; and, supporting other activities approved by the membership.

“(4) *Autonomy and Independence* – Cooperatives are autonomous, self-help organizations controlled by their members. If they enter into agreements with other organizations, including government, or raise capital from external sources, they shall do so on terms that ensure democratic control of their members and maintain their cooperative autonomy.

“(5) *Education, Training and Information* – Cooperatives shall provide education and training for their members, elected and appointed representatives, managers, and employees, so that they can contribute effectively and efficiently to the development of their cooperatives.

“(6) *Cooperation Among Cooperatives* – Cooperatives serve their members most effectively and strengthen the cooperative movement by working together through local, national, regional and international structures.

(7) *Concern for Community* – Cooperatives work for the sustainable development of their communities through policies approved by their members.

“ART. 5. *Definition of Terms.* – The following terms shall mean:

“(1) *Member* includes a person either natural or juridical who, adhering to the principles set forth in this Code and in the articles of cooperation, has been admitted by the cooperative as member;

“(2) *General Assembly* shall mean the full membership of the cooperative duly assembled for the purpose of exercising all the rights and performing all the obligations pertaining to cooperatives, as provided by this Code, its articles of cooperation and bylaws: *Provided*, That for cooperatives with numerous and dispersed membership, the general assembly may be composed of delegates elected by each sector, chapter or district of the cooperative in accordance with the rules and regulations of the Cooperative Development Authority;

“(3) *Board of Directors* shall mean that body entrusted with the management of the affairs of the cooperative under its articles of cooperation and bylaws;

“(4) *Committee* shall refer to any body entrusted with specific functions and responsibilities under the bylaws or resolution of the general assembly or the board of directors;

“(5) *Articles of Cooperation* means the articles of cooperation registered under this Code and includes a registered amendment thereof;

“(6) *Bylaws* means the bylaws registered under this Code and includes any registered amendment thereof;

“(7) *Registration* means the operative act granting juridical personality to a proposed cooperative and is evidenced by a certificate of registration;

“(8) *Cooperative Development Authority* refers to the government agency in charge of the registration and regulation of cooperatives as such hereinafter referred to as the Authority;

“(9) *Universally Accepted Principles* mean that body of cooperative principles adhered to worldwide by cooperatives;

“(10) *Representative Assembly* means the full membership of a body of representatives elected by each of the sectors, chapter or district of the cooperative duly assembled for the purpose of exercising such powers lawfully delegated unto them by the general assembly in accordance with its bylaws;

“(11) *Officers of the Cooperative* shall include the members of the board of directors, members of the different committees created by the general assembly, general manager or chief executive officer, secretary, treasurer and members holding other positions as may be provided for in their bylaws;

“(12) *Social Audit* is a procedure wherein the cooperative assesses its social impact and ethical performance vis-à-vis its stated mission, vision, goals and code of social responsibility for cooperatives to be established by the Authority in consultation with the cooperative sector. It enables the cooperatives to develop a process whereby it can account for its social performance and evaluate its impact in the community and be accountable for its decisions and actions to its regular members;

“(13) *Performance Audit* shall refer to an audit on the efficiency and effectiveness of the cooperative as a whole; its management and officers; and its various responsibility centers as basis for improving individual, team or overall performance and for objectively informing the general membership on such performance;

“(14) *A Single-Line or Single-Purpose Cooperative* shall include cooperative undertaking activities which are related to its main line of business or purpose;

“(15) *Service Cooperatives* are those which provide any type of service to its members, including but not limited to, transport, information and communication, insurance, housing, electric, health services, education, banking, and savings and credit;

“(16) *Subsidiary Cooperative* refers to any organization all or majority of whose membership or shareholders come from a cooperative, organized for

any other purpose different from that of, and receives technical, managerial and financial assistance from, a cooperative, in accordance with the rules and regulations of the Authority; and

“(17) *Federation of Cooperatives* refers to three or more primary cooperatives, doing the same line of business, organized at the municipal, provincial, city, special metropolitan political subdivision, or economic zones created by law, registered with the Authority to undertake business activities in support of its member-cooperatives,”

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“ART. 23. *Types and Categories of Cooperatives.* –
 (1) Types of Cooperatives – Cooperatives may fall under any of the following types:

“(a) *Credit Cooperative* is one that promotes and undertakes savings and lending services among its members. It generates a common pool of funds in order to provide financial assistance and other related financial to its members for productive and provident purposes;

“(b) *Consumers Cooperative* is one the primary purpose of which is to procure and distribute commodities to members and non-members;

“(c) *Producers Cooperative* is one that undertakes joint production whether agricultural or industrial. It is formed and operated by its members to undertake the production and processing of raw materials or goods produced by its members into finished or processed products for sale by the cooperative to its members and non-members. Any end product or its derivative arising from the raw materials produced by its members, sold in

the name and for the account of the cooperative, shall be deemed a product of the cooperative and its members;

“(d) *Marketing Cooperative* is one which engages in the supply of production inputs to members and markets their products;

“(e) *Service Cooperative* is one which engages in medical and dental care, hospitalization, transportation, insurance, housing, labor, electric light and power, communication, professional and other services;

“(f) *Multipurpose Cooperative* is one which combines two (2) or more of the business activities of these different types of cooperatives;

“(g) *Advocacy Cooperative* is a primary cooperative which promotes and advocates cooperativism among its members and the public through socially-oriented projects, education and training, research and communication, and other similar activities to reach out to its intended beneficiaries;

“(h) *Agrarian Reform Cooperative* is one organized by marginal farmers majority of which are agrarian reform beneficiaries for the purpose of developing an appropriate system of land tenure, land development, land consolidation or land management in areas covered by agrarian reform;

“(i) *Cooperative Bank* is one organized for the primary purpose of providing a wide range of financial services to cooperatives and their members;

“(j) *Dairy Cooperative* is one whose members are engaged in the production of fresh milk which may be processed and/or marketed as dairy products;

“(k) *Education Cooperative* is one organized for the primary purpose of owning and operating licensed educational institutions notwithstanding the provisions of Republic Act No. 9155, otherwise known as the Governance of Basic Education Act of 2001;

“(l) *Electric Cooperative* is one organized for the primary purpose of undertaking power generation, utilizing renewable energy sources, including hybrid systems, acquisition and operation of subtransmission or distribution to its household members;

“(m) *Financial Service Cooperative* is one organized for the primary purpose of engaging in savings and credit services and other financial services;

“(n) *Fishermen Cooperative* is one organized by marginalized fishermen in localities whose products are marketed either as fresh or processed products;

“(o) *Health Services Cooperative* is one organized for the primary purpose of providing medical, dental and other health services;

“(p) *Housing Cooperative* is one organized to assist or provide access to housing for the benefit of its regular members who actively participate in the savings program for housing. It is co-owned and controlled by its members;

“(q) *Insurance Cooperative* is one engaged in the business of insuring life and poverty of cooperatives and their members;

“(r) *Transport Cooperative* is one which includes land and sea transportation, limited to small vessels, as defined or classified under the Philippine maritime laws, organized under the provisions of this Code;

“(s) *Water Service Cooperative* is one organized to own, operate and manage waters systems for the provision and distribution of potable water for its members and their households;

“(t) *Workers Cooperative* is one organized by workers, including the self-employed, who are at same time the members and owners of the enterprise. Its principal purpose is to provide employment and business opportunities to its members and manage it in accordance with cooperative principles; and

“(u) Other types of cooperative as may be determined by the Authority.

“(2) *Categories of Cooperative* – Cooperatives shall be categorized according to membership and territorial considerations as follows:

“(a) In terms of membership, cooperative shall be categorized into:

“(i) *Primary* – The members of which are natural persons;

“(ii) *Secondary* – The members of which are primaries; and

“(iii) *Tertiary* – The members of which are secondary cooperatives; and

“(b) In terms of territory, cooperatives shall be categorized according to areas of operations which may or may not coincide with the political subdivisions of the country.

“ART. 24. *Functions of a Federation of Cooperatives.*

– A federation of cooperatives shall undertake the following functions:

“(a) To carry on any cooperative enterprise authorized under Article 6 that complements augments, or supplements but does not conflict, complete with, nor supplant the business or economic activities of its members;

“(b) To carry on, encourage, and assist educational and advisory work relating to its member cooperatives;

“(c) To render services designed to encourage simplicity, efficiency, and economy in the conduct of the business of its member cooperatives and to facilitate the implementation of their bookkeeping, accounting, and other systems and procedures;

“(d) To print, publish, and circulate any newspaper or other publication in the interest of its member cooperatives and enterprises;

“(e) To coordinate and facilitate the activities of its member cooperatives;

“(f) To enter into joint ventures with national or international cooperatives of other countries in the manufacture and sale of products and/or services in the Philippines and abroad; and

“(g) To perform such other functions as may be necessary to attain its objectives.

“A federation of cooperatives may be registered by carrying out the formalities for registration of a cooperative.

“Registered cooperatives may organize a federation according to the type of business activity engaged in by the cooperatives.

“ART. 25. *Cooperative Unions.* – Registered cooperatives and federations at the appropriate levels may organize or join cooperative unions to represent the interest and welfare of all types of cooperatives at the provincial, city, regional, and national levels. Cooperative unions may have the following purposes:

“(a) To represent its member organizations;

“(b) To acquire, analyze, and disseminate, economic, statistical, and other information relating to its members and to all types of cooperatives within its area of operation;

“(c) To sponsor studies in the economic, legal, financial, social and other phases of cooperation, and publish the results thereof;

“(d) To promote the knowledge of cooperative principles and practices;

“(e) To develop the cooperative movement in their respective jurisdictions;

“(f) To advise the appropriate authorities on all questions relating to cooperatives;

“(g) To raise funds through membership fees, dues and contributions, donations, and subsidies from local and foreign sources whether private or government; and

“(h) To do and perform such other non-business activities as may be necessary to attain the foregoing objectives.

“Cooperative unions may assist the national and local governments in the latter’s development activities in their respective jurisdictions.”

SEC. 3. Articles 26, 27, 28, 29, 30, 31 and 32 of Chapter III on Membership of the same Code are hereby renumbered and amended to read, as follows:

CHAPTER III

MEMBERSHIP

“ART. 26. *Kinds of Membership.* – A cooperative may have two (2) kinds of members, to wit: (1) regular members and (2) associate members.

“A regular member is one who has complied with all the membership requirements and entitled to all the rights and privileges of membership. An associate member is one who has no right to vote nor be voted upon and shall be entitled only to such rights and privileges as the bylaws may provide: *Provided*, That an associate member who meets the minimum requirements of regular membership, continues to patronize the cooperative for two (2) years, and signifies his/her intention to remain a member shall be considered a regular member.

“A cooperative organized by minors shall be considered a laboratory cooperative and must be affiliated with a registered cooperative. A laboratory cooperative shall be governed by special guidelines to be promulgated by the Authority.

“ART. 27. *Government Officers and Employees.*

– (1) Any officer or employee of the Authority shall be disqualified to be elected or appointed to any position in a cooperative: *Provided*, That the disqualification does not extend to a cooperative organized by the officers or employees of the Authority.

“(2) All elective officials of the Government shall be ineligible to become officers and directors of cooperatives: *Provided*, That the disqualification does not extend to a party list representative being an officer of a cooperative he or she represents; and

“(3) Any government employee or official may, in the discharge of his duties as a member in the cooperative, be allowed by the end of office concerned to use official time for attendance at the general assembly, board and committee meetings of cooperatives as well as cooperative seminars, conferences, workshops, technical meetings, and training courses locally or abroad: *Provided*, That the operations of the office concerned are not adversely affected.

“ART. 28. *Application.* – An applicant for membership shall be deemed a member after approval of his membership by the board of directors and shall exercise the rights of member after having made such payments to the cooperative in respect to membership or acquired interest in the cooperative as may be prescribed in the bylaws. In case membership is refused or denied by the board of directors, an appeal may be made to the general assembly and the latter’s decision shall be final. For this purpose, the general assembly may opt to create an appeal and grievance committee, the members of which shall serve for a period of one (1) year and shall decide appeals on membership application within thirty (30) days upon receipt thereof. If the committee fails to decide within the prescribed

period, the appeal is deemed approved in favor of the applicant.

“ART. 29. *Liability of Members.* – A member shall be liable for the debts of the cooperative to the extent of his contribution to the share capital of the cooperative.

“ART. 30. *Termination of Membership.* – (1) A member of a cooperative may, for any valid reason, withdraw his membership from the cooperative by giving a sixty (60) day notice to the board of directors. Subject to the bylaws of the cooperative, the withdrawing member shall be entitled to a refund of his share capital contribution and all other interests in the cooperative: *Provided,* That such fund shall not be made if upon such payment the value of the assets of the cooperative would be less than the aggregate amount of its debts and liabilities exclusive of his share capital contribution.

“(2) The death or insanity of a member in a primary cooperative, and the insolvency or dissolution of a member in a secondary or tertiary cooperative may be considered valid grounds for termination of membership: *Provided, however,* That in case of death or insanity of an agrarian reform beneficiary-member of a cooperative, the next-of-kin may assume the duties and responsibilities of the original member

“(3) Membership in the cooperative may be terminated by a vote of the majority of all the members of the board of directors for any of the following causes:

“(a) When a member has not patronized any of the services of the cooperative for an unreasonable period of time as may be previously determined by the board of directors;

“(b) When a member has continuously failed to comply with his obligations;

“(c) When a member has acted in violation of the bylaws and the rules of the cooperative; and

“(d) For any act or omission injurious or prejudicial to the interest or the welfare of the cooperative.

“A member whose membership the board of directors may wish to terminate shall be informed of such intended action in writing and shall be given an opportunity to be heard before the said board makes its decision. The decision of the board shall be in writing and shall be communicated in person or by registered mail to said member and shall be appealable within thirty (30) days from receipt thereof to the general assembly whose decision shall be final. The general assembly may create an appeal and grievance committee whose members shall serve for a period of one (1) year and shall decide appeals on membership termination. The committee is given thirty (30) days from receipt thereof to decide on the appeal. Failure to decide within the prescribed period, the appeal is deemed approved in favor of the member. Pending a decision by the general assembly, the membership remains in force.

“ART. 31. *Refund of Interests.* – All sums computed in accordance with the bylaws to be due from a cooperative to a former member shall be paid to him either by the cooperative or by the approved transferee, as the case may be, in accordance with this Code.”

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SEC. 11. Articles 88, 89, 90, 91, 92, 93, 94 and 95 of Chapter XI on the Special Provisions Relating to Agrarian Reform Cooperatives

of the same Code are hereby renumbered retitled and amended to read, as follows:

CHAPTER XI

AGRARIAN REFORM COOPERATIVES

“ART. 87. *Coverage.* – The provisions of this Chapter shall primarily govern agrarian reform cooperatives: *Provided*, That the provisions of the other chapters of this Code shall apply suppletorily except insofar as this Chapter otherwise provides.

“ART. 88. *Definition and Purpose.* – An agrarian reform cooperative is one organized by marginal farmers, majority of which are agrarian reform beneficiaries, for the purpose of developing an appropriate system of land tenure, land development, land consolidation or land management in areas covered by agrarian reform.

“An agrarian reform cooperative as defined shall be organized for any or all of the following purposes:

“(1) To develop an appropriate system of land tenure, land development, land consolidation or land management in areas covered by agrarian reform;

“(2) To coordinate and facilitate the dissemination of scientific methods of production, and provide assistance in the storage, transport, and marketing of farm products for agrarian reform beneficiaries and their immediate family, hereinafter referred to as ‘beneficiaries’;

“(3) To provide financial facilities to beneficiaries for provident or productive purposes at reasonable costs;

“(4) To arrange and facilitate the expeditious transfer of appropriate and suitable technology to beneficiaries and marginal farmers at the lowest possible cost;

“(5) To provide social security benefits, health, medical and social insurance benefits and other social and economic benefits that promote the general welfare of the agrarian reform beneficiaries and marginal farmers;

“(6) To provide non-formal education, vocational/technical training, and livelihood programs to beneficiaries and marginal farmers;

“(7) To act as conduits for external assistance and services to the beneficiaries and marginal farmers;

“(8) To undertake a comprehensive and integrated development program in agrarian reform and resettlement areas with special concern for the development of agro-based, marine-based, and cottage-based industries;

“(9) To represent the beneficiaries on any or all matters that affect their interest; and

“(10) To undertake such other economic or social activities as may be necessary or incidental in the pursuit of the foregoing purposes.

“ART. 89. *Cooperative Estate.* – Landholdings like plantations, estates or *haciendas* acquired by the State for the benefit of the workers in accordance with the Comprehensive Agrarian Reform Program which shall be collectively owned by the worker-beneficiaries under a cooperative set-up.

“ART. 90. *Infrastructure.* – In agrarian reform and resettlement areas, the Government shall grant to agrarian reform cooperatives preferential treatment in the construction, maintenance and management of roads, bridges, canals, wharves, ports, reservoirs, irrigation systems, waterworks systems, and other infrastructures with government funding. For this purpose, the Government shall provide technical assistance, facilities and equipment to such agrarian reform cooperatives.

“ART. 91. *Lease of Public Lands.* – The Government may lease public lands to any agrarian reform cooperative for a period not exceeding twenty-five (25%) years, subject to renewal for another twenty-five (25) years only: *Provided,* That the application for renewal shall be made one (1) year before the expiration of the lease: *Provided, further,* That such lease shall be for the exclusive use and benefit of the beneficiaries and marginal farmers subject to the provisions of the Comprehensive Agrarian Reform Program.

“ART. 92. *Preferential Right.* – In agrarian reform areas, an agrarian reform cooperative shall have the preferential right in the grant of franchise and certificate of public convenience and necessity for the operation of public utilities and services: *Provided,* That it meets the requirements and conditions imposed by the appropriate government agency granting the franchise or certificate of public convenience and necessity. If there is an electric service provider in the area, it shall upon the request of an agrarian reform cooperative, immediately provide electric services to the agrarian reform areas. If the electric service provider fails to provide the services requested within a period of one (1) year, the agrarian reform cooperative concerned may undertake to provide the electric services in the area

through its own resources. All investments made by the said agrarian reform cooperative for the electrification of the agrarian reform resettlement areas shall be the subject of sale to the electric service provider once it takes on the service.

“ART. 93. *Privileges.* – Subject to such reasonable terms and conditions as the Department of Agrarian Reform (DAR) and the Authority may impose, agrarian reform cooperatives may be given the exclusive right to do any or all of the following economic activities in agrarian reform and resettlement areas;

“(1) Supply and distribution of consumer, agricultural, aqua-cultural, and industrial goods, production inputs, and raw materials and supplies, machinery, equipment, facilities and other services and requirements of the beneficiaries and marginal farmers at reasonable prices;

“(2) Marketing of the products and services of the beneficiaries in local and foreign markets;

“(3) Processing of the members’ products into finished consumer or industrial goods for domestic consumption or for export;

“(4) Provision of essential public services at cost such as power, irrigation, potable water, passenger and/or cargo transportation by land or sea, communication services, and public health and medical care services;

“(5) Management, conservation, and commercial development of marine, forestry, mineral, water, and other natural resources subject to compliance with the laws and regulations on environmental and ecological controls; and

“(6) Provision of financial, technological, and other services and facilities required by the beneficiaries in their daily lives and livelihood.

“The Government shall provide the necessary financial and technical assistance to agrarian reform cooperatives to enable them to discharge effectively their purposes under this article. The DAR, the Authority and the BSP shall draw up a joint program for the organization and financing of the agrarian reform cooperatives subject of this Chapter. The joint program shall be geared towards the beneficiaries’ gradual assumption of full ownership and management control of the agrarian reform cooperatives.

“ART. 94. *Organization and Registration.* – Agrarian reform cooperatives may be organized and registered under this Code only upon prior written verification by the DAR to the effect that the same is needed and desired by the beneficiaries; results of a study that has been conducted fairly indicate the economic feasibility of organizing the same and that it will be economically viable in its operations; and that the same may now be organized and registered in accordance with requirements of this Code.

“The Authority, in consultation with the concerned government agencies and cooperative sector, shall issue appropriate rules and regulations pertaining to the provisions of this Chapter.”

SEC. 12. Articles 96, 97 and 98 of Chapter XII on the Special Provisions on Public Services Cooperatives of the same Code are hereby transferred to another chapter. Chapter XII as amended shall now read, as follows:

CHAPTER XII

COOPERATIVE BANKS

“ART. 95. *Governing Law.* – The provisions of this Chapter shall primarily govern cooperative banks registered under this Code and the other provisions of this Code shall apply to them only insofar as they are not inconsistent with the provisions contained in this Chapter.

“ART. 96. *Supervision.* – The cooperative banks registered under this Code shall be under the supervision of the BSP. The BSP, upon consultation with the Authority and the concerned cooperative sector, shall formulate guidelines regarding the operations and the governance of cooperative banks. These guidelines shall give due recognition to the unique nature and character of cooperative banks. To this end, cooperative banks shall provide financial and banking services to its members.

“ART. 97. *Organization, Membership and Establishment of a Cooperative Bank.* – (1) Cooperative organizations duly established and registered under this Code may organize a cooperative bank, which shall likewise be considered a cooperative registrable under the provisions of this Code subject to the requirements and requisite authorization from the BSP. Only one cooperative bank may be established in each province: *Provided*, That an additional cooperative bank may be established in the same province to cater to the needs of the locality depending on the economic conditions of the province as may be determined by the BSP: *Provided, further*, That the additional cooperative bank shall be located in the City or municipality other than the city or municipality where the first cooperative bank is located.

“(2) Membership in a cooperative bank shall either be regular or associate. Regular membership shall be limited to cooperative organizations which are holders of common shares of the bank. Associate members are those subscribing and holding preferred shares of the bank, which may include but are not limited to the following:

“(a) Individual members of the bank’s member-primary cooperatives; and

“(b) Samahang Nayon and Municipal Katipunan ng mga Samahang Nayon (MKSAN) which held common shares of cooperative banks prior to the effectivity of this Act shall apply for conversion to full-fledged cooperatives in order to maintain their status as regular members of cooperative banks: *Provided*, That they shall notify the cooperative bank concerned of their intention to convert within a period of ninety (90) days from the effectivity of this Act. Samahang Nayon and MKSAN are hereby given a period of one (1) year from the effectivity of this Act to complete their conversion as cooperatives. Cooperative banks shall exert reasonable efforts to inform their member Samahang Nayon and MKSAN to finally convert or to give the notice of conversion within the prescribed period. Upon the failure of the Samahang Nayon and MKSAN to finally convert to a full-pledged cooperative within the maximum period of one (1) year, the cooperative bank concerned may convert the common shares held by such associations to preferred shares.

“(3) The articles of cooperation and bylaws of a cooperative bank, or any amendment thereto, shall be registered with the Authority only when accompanied by a certificate of authority issued by the BSP, under its official seal.

“ART. 98. *Administration of Cooperative Banks.*
– To maintain the quality of bank management and accord appropriate protection to depositors and the public in general, the BSP shall prescribed the fit and proper qualifications of bank directors and officers for the purposes of this article, giving due recognition to the unique nature and character of cooperative banks.

“Notwithstanding the provisions of this Code, the number, composition and term of the board of directors shall be defined in the articles of cooperation and bylaws of the cooperative bank.

“ART. 99. *Quorum and Voting Rights.* – The quorum requirement for general assembly meetings, whether special or regular, shall be one half plus one of the number of voting shares of all the members in good standing. In the meetings of the board of directors, whether special or regular, the quorum requirement shall be one-half plus one of all the members of the board of directors. Each director shall only have one vote.

“Notwithstanding the provisions of this Code to the contrary, the quorum requirement for amendments of articles of cooperation and bylaws shall be three-fourths (3/4) vote of all the members with voting rights, present and constituting a quorum. All other voting requirements shall be as prescribed by the BSP.

“The voting rights of the members shall be proportionate to the number of their paid-up shares.

“ART. 100. *Powers, Functions and Allied Undertakings of Cooperative Banks.* – A cooperative bank shall primarily provide financial, banking and credit services to cooperative organizations and their

members. However, the BSP may prescribe appropriate guidelines, ceilings and conditions on borrowing of a cooperative organization from a cooperative bank.

“The powers and functions of a cooperative bank shall be subject to such rules and regulations as may be promulgated by the BSP.

“In addition to the powers granted by this Code and other existing laws, any cooperative bank may perform any or all of the banking services offered by other types of banks subject to the prior approval of the BSP.

“ART. 101. *Capital Requirements of Cooperative Banks.* – (1) A cooperative bank shall have a minimum paid-up capital in such amount as may be required by the BSP.

“The BSP may prescribe rules and regulations on the types of shares a cooperative bank may issue, including the terms thereof and rights appurtenant thereto to determine compliance with laws and regulations governing capital and equity structure of banks: *Provided*, That cooperative banks shall issue par value shares only.

“(2) The Barrio Savings Fund (BSF) and Barrio Guarantee Fund (BGF) collected/deducted by various banks throughout the country from the loan proceeds of farmer-borrowers who were members of cooperatives and Samahang Nayon in compliance with Presidential Decree No. 175 and accompanying letters of instruction, which are still floating and outstanding either as active or dormant deposit accounts in the books of those banks, shall be deposited to the cooperative bank located in the province where the depository banks of BSF and BGF are located, or if there is no cooperative bank in

the province, to the cooperative bank nearest to the province. The BSP, in coordination with the Authority, shall come up with the implementing guidelines on how to credit the owners of the funds.

“Those funds whose owners could not be located or identified shall be subject to escheat.

“ART. 102. *Privileges and Incentives of Cooperative Banks.* – The cooperative banks registered under this Code shall be given the same privileges and incentives granted to the rural banks, private development banks, commercial banks, and all other banks to rediscount notes with the BSP, the Land Bank of the Philippines, and other government banks without affecting in any way the provisions of this Code.

“(1) Subject to the approval of the BSP, a cooperative bank shall publish a statement of its financial condition, including those of its subsidiaries and affiliates, in such terms understandable to the layman and in such frequency as may be prescribed by the BSP, in English or Filipino, at least once every quarter in a newspaper of local circulation in the city or province where the principal office is located or, if no newspaper is published in the same province, then in a newspaper published in the nearest city or province or in a newspaper of general circulation. The BSP, however, may allow the posting of the financial statements of the cooperative bank in conspicuous places it may determine in lieu of the publication required in the preceding sentence when warranted by the circumstances.

“However, in cases of foreclosure of mortgages covering loans granted by a cooperative bank, and the execution of judgments thereon involving real properties and levied upon by a sheriff, it shall be exempt from publication requirement where the total

amount of the loan, excluding interest and other charges due and unpaid, does not exceed Two hundred fifty thousand (P250,000.00) or such amount as the BSP may prescribe, as may be warranted by the prevailing economic conditions and by the nature and character of the cooperative banks. It shall be sufficient publication in such cases if the notice of foreclosure and execution of judgment are posted in conspicuous areas of the cooperative bank's premises, the municipal hall, the municipal public market, the barangay hall, or the barangay public market, if there be any, where the property mortgaged is situated, within a period of sixty (60) days immediately preceding the public auction or the execution of judgment. Proof of publication as required herein shall be accomplished by an affidavit of the sheriff or officer conducting the foreclosure sale or execution of judgment, and shall be attached to the record of the case.

“(2) A cooperative bank shall be allowed to foreclose lands mortgaged to it subject to the provisions of Republic Act No. 6657, otherwise known as Comprehensive Agrarian Reform Law of 1988.

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SEC. 21. Article 122 is hereby deleted. Articles 123, 124, 125, 126, 127, 128, 129 and 130 of Chapter XVII on Final Provisions of this Code are amended to read, as follows:

CHAPTER XIX

FINAL PROVISIONS

“ART. 139. *Implementing Rules and Regulations.*
– The Authority shall issue rules and regulations to implement those provisions of this Code which expressly call for the issuance thereof. This paragraph shall not

apply to those cases wherein a specific provision of this Code expressly designates particular government agencies which shall issue the regulations called for by any provision of this Code.

“ART. 140. *Penal Provisions.* – The following acts or omissions affecting cooperatives are hereby prohibited:

“(1) The use of the word ‘cooperative’ by any person or of persons or organizations, unless duly registered as a cooperative under this Code except as provided for under Article 130 hereof. In case of violation, the individual or individuals concerned, or in the case of an organization, its officers and directors shall, upon conviction, each suffer the penalty of imprisonment of not less than two (2) years nor more than five (5) years and a fine not exceeding Twenty thousand pesos (P20,000.00) or both at the discretion of the court;

“The Authority may *motu proprio*, initiate complaints for violations of this provision.

“(2) Any person who willfully attempts in any manner to evade or defeat tax in violation of the provisions of Articles 60 and 61 of this Code shall, in addition to other penalties provided by law, upon conviction thereof, be punished by a fine of not less than Thirty thousand pesos (P30,000.00) but not more than One hundred thousand pesos (P100,000.00) and suffer imprisonment of not less than two (2) years but not more than four (4) years: *Provided*, That the conviction or acquittal obtained under this article shall not be a bar to the filing of a civil suit for the collection of taxes;

“(3) Direct or indirect violation or circumvention of the provisions of Articles 60 and 61 of this Code committed by any public official or employee of any bureau, office or agency of the government that deprives,

diminishes or in any manner hinders or restricts any duly registered cooperative from the full enjoyment of the exemption from the payment of the taxes, fees and charges enumerated therein, shall upon conviction, suffer a penalty of not less than one (1) year but not more than five (5) years imprisonment or a fine in the amount of not less than Five thousand pesos (P5,000.00) or both at the discretion of the court and shall further be disqualified to hold any other office;

“(4) Direct or indirect interference or intervention by any public official or employee into the internal affairs of a cooperative of which he is not a member, such as, but not limited to, the following:

“(a) Influencing the election or appointment of officers, directors, committee members and employees through public or private endorsement or campaign for or against any person or group of persons;

“(b) Requiring prior clearance for any policy or decision within the cooperative;

“(c) Requesting or demanding for the creation of positions or organizational units, or recommending any person for appointment, transfer, or removal from his position; or

“(d) Any other acts inimical or adverse to the autonomy and independence of cooperatives.

“(5) A director, officer or committee member who violated the provisions of Article 45 on the Liability of Directors, Officers and Committee Members, Article 48 on the Disloyalty of a Director, and Article 49 on the Illegal Use of Confidential Information shall upon conviction suffer a fine of not less than Five thousand pesos (P5,000.00) nor more than Five hundred thousand

pesos (P500,000.00) or imprisonment of not less than five (5) years but not more than ten (10) years or both at the court's discretion;

“(6) The following are considered offenses punishable by a penalty of imprisonment of not less than one (1) year nor more than five (5) years or a fine of not more than Fifty thousand pesos (P50,000.00) or both at the discretion of the court:

“(a) Omission or refusal to furnish any information, report or other document that is required under this Code;

“(b) Providing information, reports or other documents to the Authority that are required under this Code which the person knows to be false or misleading;

“(c) Omission or refusal to keep a book or register under this Code or to make the required entry therein;

“(d) Making an entry required under this Code in a book or register, which the person knows to be false or misleading;

“(e) Hindering an authorized person from making an inspection, audit, examination or investigation required under this Code;

“(f) Failure to comply with an order or written instructions issued or given by the Authority;

“(g) Violation of the provisions regarding transactions with a restricted party; and

“(h) Abetting, counseling, allowing, authorizing or commanding another person to commit an offense punishable by this Code: *Provided*, That in case the

violator is a cooperative or juridical person, the penalty shall be imposed on its directors and officers.

“(7) Any violation of any provision of this Code for which no penalty is imposed shall be punished by imprisonment of not less than six (6) months nor more than one (1) year and a fine of not less than One thousand pesos (P1,000.00), or both at the discretion of the court.

“The cooperative or any of its members can file a case against any officer or employee of the Bureau of Internal Revenue or of any other government agency with the Ombudsman, Civil Service Commission, other appropriate government agency or the courts of law.

“In case of violation of any provision of this Code, the individual or individuals, and in the case of organizations or government agencies, its officers, and directors shall, upon conviction by a Court, each suffer a penalty of not less than two (2) years but not more than five (5) years imprisonment or a fine in the amount of not less than Twenty thousand pesos (P20,000.00), or both at the discretion of the court. In the case of a public official or employee, the offender shall upon conviction, suffer the accessory penalty of temporary absolute disqualification.

“ART. 141. *Printing and Distribution.* – (1) The National Printing Office shall publish this Code in the *Official Gazette* in full within sixty (60) days from the date of approval thereof. Copies of this Code shall be given to every department, agency and instrumentality of the National Government, including regional, provincial offices and local governments including government-owned and controlled corporations.

“(2) All duly registered cooperatives and their federations, unions and associations, and cooperative corporations shall be given one (1) copy each at cost. Thereafter, every newly registered cooperative shall be issued at cost a copy of this Code and the regulations promulgated thereon together with its certificate of registration.

“ART. 142. *Interpretation and Construction.* – In case of doubt as to the meaning of any provision of this Code or the regulations issued in pursuance thereof, the same shall be resolved liberally in favor of the cooperatives and their members.

“ART. 143. *Repealing Clause.* – Except as expressly provided by this Code, Presidential Decree No. 175 and all other laws, or parts thereof, inconsistent with any provision of this Code shall be deemed repealed: *Provided*, That the provisions of Sections 3, 5, and 7 of Presidential Decree No. 1645, Executive Order No. 623, series of 2007, Revenue Regulation No. 20-2001, and all laws, decrees, executive orders, implementing rules and regulations, BIR circulars, memorandum orders, letters of instruction, local government ordinances, or parts thereof inconsistent with any of the provisions of this Act are hereby repealed, amended or modified accordingly.

“ART. 144. *Transitory Provisions.* – (1) All cooperatives registered and confirmed with the Authority under Republic Act No. 6938 and Republic Act No. 6939, are hereby deemed registered under this code, and a new certificate of registration shall be issued by the Authority: *Provided*, That such cooperatives shall submit to the nearest office of the authority a copy of their certificate of registration or certificate of confirmation, the articles of cooperation, their bylaws, and their latest audited financial statement within one

(1) year from the effectivity of this code, otherwise the shall be deemed cancelled *motu proprio*.

“(2) Following the issuance of the new certificate of registration, the registered cooperatives shall secure their certificate of tax exemption from the nearest office of the Bureau of Internal Revenue (BIR): *Provided*, That such exemptions shall be valid for a period of five (5) years from the date of issue: *Provided, further*, That all unpaid assessments of previously registered cooperatives shall be the subject of compromise settlement on terms favorable to such cooperative; and: *Provided, finally*, That the BIR and the authority shall jointly issue the necessary regulations on this exemption and compromise within ninety (90) days from the effectivity from this Code.

“(3) Registration of electric cooperatives with the Authority shall not be considered as a transfer of ownership of its assets and liabilities nor shall it constitute a change in the nature, structure, and status of the cooperative. Said registration shall not result in the revocation of the condoned loans under Republic Act No. 9136, otherwise known as the Electric Power Industry Reform Act: *Provided*, That electric cooperatives with existing loans shall not be subject to the control and supervision of its creditors and shall only be limited to the fulfillment of its civil obligations.

“ART. 145. *Separability Clause*. - Should any part of this Code be declared unconstitutional, the validity of remaining provisions hereof shall remain in full force and effect.

“ART. 146. *Effectivity Clause*. - This Code shall take effect fifteen (15) days from its publication in a newspaper of general circulation.”

Approved,

(Sgd.) PROSPERO C. NOGRALES (Sgd.) JUAN PONCE ENRILE
Speaker of the House *President of the Senate*
of Representatives

This Act which is a consolidation of Senate Bill No. 2264 and House Bill No. 4312 was finally passed by the Senate and the House of Representatives on December 16, 2008.

(Sgd.) MARILYN B. BARUA-YAP (Sgd.) EMMA LIRIO-REYES
Secretary General *Secretary of the Senate*
House of Representatives

Approved: FEB 17 2009

(Sgd.) GLORIA MACAPAGAL-ARROYO
President of the Philippines

RA 9520 amended RA 6938.

RA 9520 repealed PD 175.

RA 9520 repealed, amended or modified BIR Revenue Regulation No. 20-2001.

RA 9520 repealed, amended or modified EO 623 s. 2007.

RA 9520 repealed, amended or modified PD 1645 (secs. 3, 5, and 7).

S. No. 2213
H. No. 5229

Republic of the Philippines
CONGRESS OF THE PHILIPPINES
Metro Manila

Fourteenth Congress
Second Regular Session

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

REPUBLIC ACT NO. 9593

AN ACT DECLARING A NATIONAL POLICY FOR TOURISM AS
AN ENGINE OF INVESTMENT, EMPLOYMENT, GROWTH
AND NATIONAL DEVELOPMENT, AND STRENGTHENING
THE DEPARTMENT OF TOURISM AND ITS ATTACHED
AGENCIES TO EFFECTIVELY AND EFFICIENTLY
IMPLEMENT THAT POLICY, AND APPROPRIATING
FUNDS THEREFOR

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

CHAPTER I

General Provisions

SECTION 1. *Short Title.* — This Act shall be known as “The
Tourism Act of 2009”.

SEC. 2. *Declaration of Policy.* — The State declares tourism as
an indispensable element of the national economy and an industry
of national interest and importance, which must be harnessed as an
engine of socioeconomic growth and cultural affirmation to generate

investment, foreign exchange and employment, and to continue to mold an enhanced sense of national pride for all Filipinos.

Towards this end, the State shall seek to:

(a) Ensure the development of Philippine tourism that is for and by the Filipino people, conserve and promote their heritage, national identity and sense of unity;

(b) Recognize sustainable tourism development as integral to the national socioeconomic development efforts to improve the quality of life of the Filipino people, providing the appropriate attention and support for the growth of this industry;

(c) Promote a tourism industry that is ecologically sustainable, responsible, participative, culturally sensitive, economically viable, and ethically and socially equitable for local communities;

(d) Create a favorable image of the Philippines within the international community, thereby strengthening the country's attraction as a tourism destination and eventually paving the way for other benefits that may result from a positive global view of the country;

(e) Develop the country as a prime tourist hub in Asia, as well as a center of world congresses and conventions, by promoting sustainable tourism anchored principally on the country's history, culture and natural endowments, and ensuring the protection, preservation and promotion of these resources; and

(f) Encourage private sector participation and agri-tourism for countryside development and preservation of rural life.

SEC. 3. *Objectives.* — Pursuant to the above declaration, the State shall adopt the following objectives:

(a) Develop a national tourism action plan and work for its adoption and implementation by national and local governments;

(b) Encourage activities and programs which promote tourism awareness, preserve the country's diverse cultures and heritage, and instill a sense of history and a culture of tourism among the youth and the populace;

(c) All things being equal, grant preferential treatment to the employment of Filipino nationals in tourism-related enterprises;

(d) Provide full government assistance by way of competitive investment incentives, long-term development fund and other financing schemes extended to tourism-related investments;

(e) Ensure that tourism development protects and promotes the general well-being of the Filipino people, particularly in the area of investment, to include the monitoring and prevention of any act of profiteering or speculation to the detriment of local residents, as well as the exploitation of women and children in tourism;

(f) Encourage competition in the tourism industry and maximize consumer choice by enhancing the continued viability of the retail travel industry and independent tour operation industry;

(g) Enhance the collection, analysis and dissemination of data which accurately measure the economic and social impact of tourism in the country to facilitate planning in the public and private sectors;

(h) Ensure the right of the people to a balanced and healthful ecology through the promotion of activities geared towards environmental protection, conservation and restoration;

(i) Develop responsible tourism as a strategy for environmentally sound and community participatory tourism programs, enlisting the participation of local communities, including indigenous peoples, in conserving bio-physical and cultural diversity, promoting environmental understanding and education, providing assistance in the determination of ecotourism sites and

ensuring full enjoyment of the benefits of tourism by the concerned communities;

(j) Strengthen the role of tourism councils and encourage the participation of nongovernment organizations (NGOs), people's organizations (POs) and the private sector in initiating programs for tourism development and environmental protection;

(k) Promote the progressive development of existing civil aviation, land and sea transportation policies as they relate to tourism, in consonance with existing bilateral agreements and inter-agency pronouncements;

(l) Promote and ensure the convention-handling capability of the country as a world-class convention center;

(m) Achieve a balance in tourism development between urban and rural areas in order to spread the benefits of tourism and contribute to poverty alleviation, better access to infrastructure and to a reduction in regional imbalances;

(n) Enhance capability-building of local government units (LGUs), in partnership with the private sector, in the management of local tourism projects and initiatives, thereby ensuring accessible and affordable destinations throughout the country, especially in areas which have shown strong comparative advantage;

(o) Maintain international standards of excellence in all tourism facilities and services, and promote the country as a safe and wholesome tourist destination;

(p) Enhance international business relations for the support of tourism projects of the private sector, through partnerships, joint ventures and other cooperative undertakings involving local and foreign investors;

(q) Support the establishment of tourism enterprise zones (TEZs), which will provide the necessary vehicle to coordinate

actions of the public and private sectors to address development barriers, attract and focus investment on specific geographic areas and upgrade product and service quality; and

(r) Ensure a sustainable funding mechanism for the implementation of tourism policies, plans, programs, projects and activities.

SEC. 4. *Definition of Terms.* — The following terms, as used in this Act, are defined as follows:

(a) “Department” refers to the Department of Tourism created pursuant to Presidential Decree No. 189 (1973), as amended.

(b) “Secretary” refers to the Secretary of Tourism.

(c) “Duty Free Philippines (DFP)” refers to the government agency created pursuant to Executive Order No. 46 (1986).

(d) “Duty Free Philippines Corporation (DFPC)” refers to the corporate entity created out of DFP pursuant to this Act.

(e) “Philippine Conventions and Visitors Corporation (PCVC)” refers to the corporate entity created pursuant to Presidential Decree No. 867, as amended.

(f) “Intramuros Administration (IA)” refers to the government agency created pursuant to Presidential Decree No. 1616 (1979), as amended.

(g) “Philippine Retirement Authority (PRA)” refers to the government agency created pursuant to Executive Order No. 1037 (1985).

(h) “Tourism Infrastructure and Enterprise Zone Authority (TIEZA)” refers to the government agency created pursuant to this Act.

(i) “Tourism Enterprise Zone (TEZ)” refers to tourism enterprise zones created pursuant to this Act.

(j) “TEZ overseer” refers to any person who shall be appointed by the TIEZA in specific zones to perform such functions as may be delegated by the TIEZA in accordance with law.

(k) “TEZ operator” refers to an entity duly incorporated under Batas Pambansa Blg. 68, otherwise known as The Corporation Code of the Philippines, and other relevant laws, whose capital may be provided by LGUs and/or private entities, and which shall administer and supervise each TEZ.

(l) “TEZ Administrator” refers to the person appointed by the Board of Directors of a TEZ operator who shall be responsible for implementing the policies, plans and projects of the TEZ operator.

(m) “Registered enterprise” refers to an enterprise located within a TEZ that is duly-registered with the TIEZA.

(n) “Philippine Tourism Authority (PTA)” refers to the existing implementation arm of the Department of Tourism created pursuant to Presidential Decree No. 189 (1973), as amended.

(o) “Tourism Promotions Board (TPB)” refers to the body corporate created under this Act.

(p) “Tourism enterprises” refers to facilities, services and attractions involved in tourism, such as, but not limited to: travel and tour services; tourist transport services, whether for land, sea or air transportation; tour guides; adventure sports services involving such sports as mountaineering, spelunking, scuba diving and other sports activities of significant tourism potential; convention organizers; accommodation establishments, including, but not limited to, hotels, resorts, apartelles, tourist inns, motels, pension houses and home stay operators; tourism estate management services, restaurants, shops and department stores, sports and

recreational centers, spas, museums and galleries, theme parks, convention centers and zoos.

(q) “Primary tourism enterprises” refers to travel and tour services; land, sea and air transport services exclusively for tourist use; accommodation establishments; convention and exhibition organizers; tourism estate management services; and such other enterprises as may be identified by the Secretary, after due consultation with concerned sectors.

(r) “Secondary tourism enterprises” refers to all other tourism enterprises not covered by the preceding subsection.

(s) “Greenfield Tourism Zone” refers to a new or pioneer development, as determined by the TIEZA.

(t) “Brownfield Tourism Zone” refers to an area with existing infrastructure or development as determined by the TIEZA.

(u) “Foreign visitors” refers to all passengers using foreign passports.

(v) “Sustainable tourism development” refers to the management of all resources that meets the needs of tourists and host regions while protecting the opportunities for the future, in such a way that economic, social and aesthetic needs can be fulfilled while maintaining cultural integrity, essential ecological processes, biological diversity and life support systems.

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CHAPTER IV

Tourism Enterprise Zones

SUBCHAPTER IV-A. Tourism Enterprise Zones

SEC. 59. *Tourism Enterprise Zones.* — Any geographic area with the following characteristics may be designated as a Tourism Enterprise Zone:

(a) The area is capable of being defined into one contiguous territory;

(b) It has historical and cultural significance, environmental beauty, or existing or potential integrated leisure facilities within its bounds or within reasonable distances from it;

(c) It has, or it may have, strategic access through transportation infrastructure, and reasonable connection with utilities infrastructure systems;

(d) It is sufficient in size, such that it may be further utilized for bringing in new investments in tourism establishments and services; and

(e) It is in a strategic location such as to catalyze the socioeconomic development of neighboring communities.

SEC. 60. *Designation of TEZs.* — The TIEZA shall designate TEZs, upon the recommendation of any LGU or private entity, or through joint ventures between the public and the private sectors. Such designation shall be subject to the provisions of this Act and to minimum requirements which the TIEZA shall subsequently promulgate.

TEZs shall not proliferate in a manner that diminishes their strategic economic and developmental value to the national economy.

SEC. 61. *Development Planning.* — Each application for designation as a TEZ shall be accompanied by a development plan which shall, consistent with principles of economic, cultural and environmentally sustainable development, specifically identify:

(a) Tourism focal points and resources available within the proposed TEZ and adjoining areas;

(b) Features which satisfy the requisites for the designation of a TEZ enumerated under Section 59 of this Act;

(c) Areas for infrastructure development, for investment, and for preservation, as well as the kind of development, nature of investment or sustainable activities allowed within preserved areas, respectively;

(d) Medium- and long-term studies on market trends, and corresponding development strategies for the TEZ;

(e) Studies on the economic impact of development within the TEZ and in surrounding communities;

(f) Studies on the environmental, cultural and social carrying capacity of the TEZ and surrounding communities;

(g) Design plans for structures which incorporate design and sustainability principles from local architecture and the surrounding environment; and

(h) Such other information that the TIEZA may require.

No TEZ shall be designated without a development plan duly approved by the TIEZA and without the approval, by resolution, of the LGU concerned. Any deviation or modification from the development plan shall require the prior authorization of the TIEZA. The TIEZA may cause the suspension of granted incentives and withdrawal of recognition as a TEZ operator. It may likewise impose reasonable

finances and penalties upon TEZ operators and responsible persons for any failure to properly implement the approved development plan.

Lands identified as part of a TEZ shall qualify for exemption from the coverage of Republic Act No. 7279, otherwise known as the Urban Development and Housing Act of 1992, and Republic Act No. 6657, otherwise known as the Comprehensive Agrarian Reform Law, subject to rules and regulations to be crafted by the TIEZA, the Housing and Urban Development Coordinating Council and the Department of Agrarian Reform.

SEC. 62. *Operation of TEZs.* — The TEZ proponent shall establish a corporate entity, to be known as the TEZ operator, which shall administer the TEZ and supervise its activities. The designation of a TEZ does not vest ownership of the resources therein upon the TEZ operator. Where the TEZ operator possesses rights to land or other resources within the TEZ, the TEZ operator shall be entitled to exercise such rights as allowed by existing laws in a manner consistent with the duly-approved development plan as provided above.

Where rights to land and other resources within the TEZ are vested in a private third party, the TEZ operator shall encourage the private third party to participate in policy making, planning and program development and implementation by encouraging its registration as a tourism enterprise where appropriate, and through the judicious administration of incentives and provision of services.

Except as herein provided, the LGUs which comprise, overlap, embrace or include a TEZ in their territorial jurisdictions shall retain their basic autonomy and identity in accordance with the Local Government Code.

The government shall encourage, facilitate and provide incentives for private sector participation in the construction and operation of public utilities and infrastructure in the TEZs using any of the schemes allowed under Republic Act No. 6957, as amended, otherwise known as the Build-Operate-and-Transfer Law.

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CHAPTER IX

Miscellaneous Provisions

SEC. 105. *Personnel and Compensation.* — The employees and management of the TIEZA, the TPB and the DFPC shall be exempt from the coverage of the Salary Standardization Law.

Subject to existing constitutional and legal prohibitions on double compensation for Board members in an *ex officio* capacity, the members of the TIEZA Board, the Tourism Board and the DFPC Board shall not be entitled to compensation but may receive reasonable *per diems* for attendance at regular and special Board meetings.

SEC. 106. *Budgetary Approval.* — All attached agencies of the Department shall submit their annual budgets to the Secretary for approval, and shall furnish copies of the same to the Oversight Committee.

The budgets of the TPB, the TIEZA and the DFPC reported to the Oversight Committee shall contain detailed information on the compensation and benefits received by their employees.

SEC. 107. *Implementing Rules and Regulations.* — Upon consultation with stakeholders, the Secretary shall promulgate the implementing rules and regulations of this Act within ninety (90) days after its effectivity. The Oversight Committee shall be furnished a copy thereof immediately after promulgation.

SEC. 108. *Review.* — This Act shall be subject to congressional review by Congress three (3) years after its approval and every three (3) years thereafter.

SEC. 109. *Transitory Provisions.* — The transfer of powers and functions in the Department and agencies attached thereto, as

herein provided for, shall take effect within six (6) months after the effectivity of this Act. The foregoing transfer of powers and functions shall include all applicable funds, personnel, records, property and equipment, as may be necessary. The same shall apply to agencies which have been attached to the Department by virtue of this Act.

As such, all offices under the Department and all attached agencies affected by the provisions of this Act shall continue to function under their present mandates until transition is effected as provided for under this Act.

All officers currently serving in the PCVC, the PTA and the DFP Boards shall continue to serve the unexpired portion of the term of the position in the Boards of the TPB, the TIEZA and the DFPC, respectively.

The heads of the agencies shall continue to serve until replaced as provided for under this Act.

SEC. 110. *Transfer of Rights and Liabilities.* — The TPB, the TIEZA and the DFPC shall, by virtue of this Act, be subrogated to all rights and assume all liabilities of the PCVC, the PTA and the DFP, respectively, in accordance with pertinent laws, rules and regulations.

SEC. 111. *Repealing Clause.* — The provisions of Executive Order No. 120 (Reorganizing the Ministry of Tourism, Defining its Powers and Functions and for Other Purposes); Executive Order No. 292, as amended (The Administrative Code of 1987); Presidential Decree No. 189, as amended, (Creating the Philippine Tourism Authority); Presidential Decree No. 1448, as amended, (Creating the Philippine Convention and Visitors Corporation); Executive Order No. 46 (Granting the Department of Tourism, Through the Philippine Tourism Authority, Authority to Establish and Operate a Duty- and Tax-Free Merchandising System); Executive Order No. 30 (Creating an Executive Committee for the Development of Quezon Memorial, Luneta and Other National Parks); Presidential Decree No. 37 (Creating the Nayong Pilipino Foundation); Presidential

Decree No. 1616 (Creating the Intramuros Administration); Presidential Decree No. 442, as amended (Labor Code); Republic Act No. 7160 (The Local Government Code); Republic Act No. 7722 (Creating the Commission on Higher Education); Republic Act No. 9497 (Creating the Civil Aviation Authority of the Philippines); and all other laws, presidential decrees, executive orders, proclamations and administrative regulations inconsistent with the provisions of this Act are hereby amended, modified, superseded or repealed accordingly.

SEC. 112. *Separability Clause.* — In the event that any provision of this Act or parts thereof be declared unconstitutional, such declaration shall not affect the validity of the other provisions.

SEC. 113. *Effectivity Clause.* — This Act shall take effect thirty (30) days after its publication in the *Official Gazette* or in at least two (2) newspapers of national circulation.

Approved,

(Sgd.) PROSPERO C. NOGRALES (Sgd.) JUAN PONCE ENRILE
Speaker of the House *President of the Senate*
of Representatives

This Act, which is a consolidation of Senate Bill No. 2213 and House Bill No. 5229 was finally passed by the Senate and the House of Representatives on March 6, 2009 and March 4, 2009, respectively.

(Sgd.) MARILYN B. BARUA-YAP (Sgd.) EMMA LIRIO-REYES
Secretary General *Secretary of the Senate*
House of Representatives

Approved: MAY 12 2009

(Sgd.) GLORIA MACAPAGAL-ARROYO
President of the Philippines

RA 9593 amended, modified, superseded or repealed EO 20 s. 1987.
RA 9593 amended, modified, superseded or repealed EO 30 s. 1963.
RA 9593 amended, modified, superseded or repealed EO 46 s. 1987.
RA 9593 amended, modified, superseded or repealed PD 37.
RA 9593 amended, modified, superseded or repealed PD 189.
RA 9593 amended, modified, superseded or repealed PD 442.
RA 9593 amended, modified, superseded or repealed PD 1448.
RA 9593 amended, modified, superseded or repealed PD 1616.
RA 9593 amended, modified, superseded or repealed RA 7160.
RA 9593 amended, modified, superseded or repealed RA 7722.
RA 9593 amended, modified, superseded or repealed RA 9497.

S. No. 2666
H. No. 4077

Republic of the Philippines
CONGRESS OF THE PHILIPPINES
Metro Manila

Fourteenth Congress
Third Regular Session

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

REPUBLIC ACT NO. 9700

AN ACT STRENGTHENING THE COMPREHENSIVE AGRARIAN REFORM PROGRAM (CARP), EXTENDING THE ACQUISITION AND DISTRIBUTION OF ALL AGRICULTURAL LANDS, INSTITUTING NECESSARY REFORMS, AMENDING FOR THE PURPOSE CERTAIN PROVISIONS OF REPUBLIC ACT NO. 6657, OTHERWISE, KNOWN AS THE COMPREHENSIVE AGRARIAN REFORM LAW OF 1988, AS AMENDED, AND APPROPRIATING FUNDS THEREFOR

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

SEC. 1. Section 2 of Republic Act No. 6657, as amended, otherwise known as the Comprehensive Agrarian Reform Law of 1988, is hereby further amended to read as follows:

“SEC. 2. *Declaration of Principles and Policies.* — It is the policy of the State to pursue a Comprehensive Agrarian Reform Program (CARP). The welfare of the landless farmers and farmworkers will receive the highest consideration to promote social justice and to move the nation toward sound rural development and industrialization, and the

establishment of owner cultivatorship of economic-size farms as the basis of Philippine agriculture.

“The State shall promote industrialization and full employment based on sound agricultural development and agrarian reform, through industries that make full and efficient use of human and natural resources, and which are competitive in both domestic and foreign markets: *Provided*, That the conversion of agricultural lands into industrial, commercial or residential lands shall take into account, tillers’ rights and national food security. Further, the State shall protect Filipino enterprises against unfair foreign competition and trade practices.

“The State recognizes that there is not enough agricultural land to be divided and distributed to each farmer and regular farmworker so that each one can own his/her economic-size family farm. This being the case, a meaningful agrarian reform program to uplift the lives and economic status of the farmer and his/her children can only be achieved through simultaneous industrialization aimed at developing a self-reliant and independent national economy effectively controlled by Filipinos.

“To this end, the State may, in the interest of national welfare or defense, establish and operate vital industries.

“A more equitable distribution and ownership of land, with due regard to the rights of landowners to just compensation, retention rights under Section 6 of Republic Act No. 6657, as amended, and to the ecological needs of the nation, shall be undertaken to provide farmers and farmworkers with the opportunity to enhance their dignity and improve the quality of their lives through greater productivity of agricultural lands.

“The agrarian reform program is founded on the right of farmers and regular farmworkers, who are landless, to

own directly or collectively the lands they till or, in the case of other farmworkers, to receive a just share of the fruits thereof. To this end, the State shall encourage and undertake the just distribution of all agricultural lands, subject to the priorities and retention limits set forth in this Act, taking into account ecological, developmental, and equity considerations, and subject to the payment of just compensation. The State shall respect the right of small landowners, and shall provide incentive for voluntary land-sharing.

“As much as practicable, the implementation of the program shall be community-based to assure, among others, that the farmers shall have greater control of farmgate prices, and easier access to credit.

“The State shall recognize the right of farmers, farmworkers and landowners, as well as cooperatives and other independent farmers’ organizations, to participate in the planning, organization, and management of the program, and shall provide support to agriculture through appropriate technology and research, and adequate financial, production, marketing and other support services.

“The State shall recognize and enforce, consistent with existing laws, the rights of rural women to own and control land, taking into consideration the substantive equality between men and women as qualified beneficiaries, to receive a just share of the fruits thereof, and to be represented in advisory or appropriate decision-making bodies. These rights shall be independent of their male relatives and of their civil status.

“The State shall apply the principles of agrarian reform, or stewardship, whenever applicable, in accordance with law, in the disposition or utilization of other natural resources, including lands of the public domain, under lease or concession, suitable to agriculture, subject to prior rights,

homestead rights of small settlers and the rights of indigenous communities to their ancestral lands.

“The State may resettle landless farmers and farmworkers in its own agricultural estates, which shall be distributed to them in the manner provided by law.

“By means of appropriate incentives, the State shall encourage the formation and maintenance of economic-size family farms to be constituted by individual beneficiaries and small landowners.

“The State shall protect the rights of subsistence fishermen, especially of local communities, to the preferential use of communal marine and fishing resources, both inland and offshore. It shall provide support to such fishermen through appropriate technology and research, adequate financial, production and marketing assistance and other services. The State shall also protect, develop and conserve such resources. The protection shall extend to offshore fishing grounds of subsistence fishermen against foreign intrusion. Fishworkers shall receive a just share from their labor in the utilization of marine and fishing resources.

“The State shall be guided by the principles that land has a social function and land ownership has a social responsibility. Owners of agricultural land have the obligation to cultivate directly or through labor administration the lands they own and thereby make the land productive.

“The State shall provide incentives to landowners to invest the proceeds of the agrarian reform program to promote industrialization, employment and privatization of public sector enterprises. Financial instruments used as payment for lands shall contain features that shall enhance negotiability and acceptability in the marketplace.

“The State may lease undeveloped lands of the public domain to qualified entities for the development of capital-intensive farms, and traditional and pioneering crops especially those for exports subject to the prior rights of the beneficiaries under this Act.”

SEC. 2. Section 3 of Republic Act No. 6657, as amended, is hereby further amended to read as follows:

“SEC. 3. *Definitions.* — For the purpose of this Act, unless the context indicates otherwise:

“xxx

“(f) Farmer refers to a natural person whose primary livelihood is cultivation of land or the production of agricultural crops, livestock and/or fisheries either by himself/herself, or primarily with the assistance of his/her immediate farm household, whether the land is owned by him/her, or by another person under a leasehold or share tenancy agreement or arrangement with the owner thereof.

“xxx

“(l) Rural women refer to women who are engaged directly or indirectly in farming and/or fishing as their source of livelihood, whether paid or unpaid, regular or seasonal, or in food preparation, managing the household, caring for the children, and other similar activities.”

SEC. 3. Section 4 of Republic Act No. 6657, as amended, is hereby further amended to read as follows:

“SEC. 4. *Scope.* — The Comprehensive Agrarian Reform Law of 1988 shall cover, regardless of tenurial arrangement and commodity produced, all public and private agricultural lands as provided in Proclamation No. 131 and Executive Order No. 229, including other lands of the public domain suitable for

agriculture: *Provided*, That landholdings of landowners with a total area of five (5) hectares and below shall not be covered for acquisition and distribution to qualified beneficiaries.

“More specifically, the following lands are covered by the CARP:

“(a) All alienable and disposable lands of the public domain devoted to or suitable for agriculture. No reclassification of forest or mineral lands to agricultural lands shall be undertaken after the approval of this Act until Congress, taking into account ecological, developmental and equity considerations, shall have determined by law, the specific limits of the public domain;

“(b) All lands of the public domain in excess of the specific limits as determined by Congress in the preceding paragraph;

“(c) All other lands owned by the Government devoted to or suitable for agriculture; and

“(d) All private lands devoted to or suitable for agriculture regardless of the agricultural products raised or that can be raised thereon.

“A comprehensive inventory system in consonance with the national land use plan shall be instituted by the Department of Agrarian Reform (DAR), in accordance with the Local Government Code, for the purpose of properly identifying and classifying farmlands within one (1) year from effectivity of this Act, without prejudice to the implementation of the land acquisition and distribution.”

SEC. 4. There shall be incorporated after Section 6 of Republic Act No. 6657, as amended, new sections to read as follows:

“SEC. 6-A. *Exception to Retention Limits.* — Provincial, city and municipal government units acquiring private

agricultural lands by expropriation or other modes of acquisition to be used for actual, direct and exclusive public purposes, such as roads and bridges, public markets, school sites, resettlement sites, local government facilities, public parks and barangay plazas or squares, consistent with the approved local comprehensive land use plan, shall not be subject to the five (5)-hectare retention limit under this Section and Sections 70 and 73(a) of Republic Act No. 6657, as amended: *Provided*, That lands subject to CARP shall first undergo the land acquisition and distribution process of the program: *Provided, further*, That when these lands have been subjected to expropriation, the agrarian reform beneficiaries therein shall be paid just compensation.”

“SEC. 6-B. *Review of Limits of Land Size*. — Within six (6) months from the effectivity of this Act, the DAR shall submit a comprehensive study on the land size appropriate for each type of crop to Congress for a possible review of limits of land sizes provided in this Act.”

SEC. 5. Section 7 of Republic Act No. 6657, as amended, is hereby further amended to read as follows:

“SEC. 7. *Priorities*. — The DAR, in coordination with the Presidential Agrarian Reform Council (PARC) shall plan and program the final acquisition and distribution of all remaining unacquired and undistributed agricultural lands from the effectivity of this Act until June 30, 2014. Lands shall be acquired and distributed as follows:

“Phase One: During the five (5)-year extension period hereafter all remaining lands above fifty (50) hectares shall be covered for purposes of agrarian reform upon the effectivity of this Act. All private agricultural lands of landowners with aggregate landholdings in excess of fifty (50) hectares which have already been subjected to a notice of coverage issued on or before December 10, 2008; rice and corn lands under Presidential Decree No. 27; all idle or abandoned

lands; all private lands voluntarily offered by the owners for agrarian reform: *Provided*, That with respect to voluntary land transfer, only those submitted by June 30, 2009 shall be allowed: *Provided, further*, That after June 30, 2009, the modes of acquisition shall be limited to voluntary offer to sell and compulsory acquisition: *Provided, furthermore*, That all previously acquired lands wherein valuation is subject to challenge by landowners shall be completed and finally resolved pursuant to Section 17 of Republic Act No. 6657, as amended: *Provided, finally*, as mandated by the Constitution, Republic Act No. 6657, as amended, and Republic Act No. 3844, as amended, only farmers (tenants or lessees) and regular farmworkers actually tilling the lands, as certified under oath by the Barangay Agrarian Reform Council (BARC) and attested under oath by the landowners, are the qualified beneficiaries. The intended beneficiary shall state under oath before the judge of the city or municipal court that he/she is willing to work on the land to make it productive and to assume the obligation of paying the amortization for the compensation of the land and the land taxes thereon; all lands foreclosed by government financial institutions; all lands acquired by the Presidential Commission on Good Government (PCGG); and all other lands owned by the government devoted to or suitable for agriculture, which shall be acquired and distributed immediately upon the effectivity of this Act, with the implementation to be completed by June 30, 2012;

“Phase Two: (a) Lands twenty-four (24) hectares up to fifty (50) hectares shall likewise be covered for purposes of agrarian reform upon the effectivity of this Act. All alienable and disposable public agricultural lands; all arable public agricultural lands under agro-forest, pasture and agricultural leases already cultivated and planted to crops in accordance with Section 6, Article XIII of the Constitution; all public agricultural lands which are to be opened for new development and resettlement; and all private agricultural lands of landowners with aggregate landholdings: above

twenty-four (24) hectares up to fifty (50) hectares which have already been subjected to a notice of coverage issued on or before December 10, 2008, to implement principally the rights of farmers and regular farmworkers, who are landless, to own directly or collectively the lands they till, which shall be distributed immediately upon the effectivity of this Act, with the implementation to be completed by June 30, 2012; and

“(b) All remaining private agricultural lands of landowners with aggregate landholdings in excess of twenty-four (24) hectares, regardless as to whether these have been subjected to notices of coverage or not, with the implementation to begin on July 1, 2012 and to be completed by June 30, 2013;

“Phase Three: All other private agricultural lands commencing with large landholdings and proceeding to medium and small landholdings under the following schedule:

“(a) Lands of landowners with aggregate landholdings above ten (10) hectares up to twenty-four (24) hectares, insofar as the excess hectarage above ten (10) hectares is concerned, to begin on July 1, 2012 and to be completed by June 30, 2013; and

“(b) Lands of landowners with aggregate landholdings from the retention limit up to ten (10) hectares, to begin on July 1, 2013 and to be completed by June 30, 2014; to implement principally the right of farmers and regular farmworkers who are landless, to own directly or collectively the lands they till.

“The schedule of acquisition and redistribution of all agricultural lands covered by this program shall be made in accordance with the above order of priority, which shall be provided in the implementing rules to be prepared by the PARC, taking into consideration the following: the landholdings wherein the farmers are organized and understand the meaning and obligations of farmland ownership; the distribution of lands to the tillers at the earliest practicable

time; the enhancement of agricultural productivity; and the availability of funds and resources to implement and support the program: *Provided*, That the PARC shall design and conduct seminars, symposia, information campaigns, and other similar programs for farmers who are not organized or not covered by any landholdings. Completion by these farmers of the aforementioned seminars, symposia, and other similar programs shall be encouraged in the implementation of this Act particularly the provisions of this Section.

“Land acquisition and distribution shall be completed by June 30, 2014 on a province-by-province basis. In any case, the PARC or the PARC Executive Committee (PARC EXCOM), upon recommendation by the Provincial Agrarian Reform Coordinating Committee (PARCCOM), may declare certain provinces as priority land reform areas, in which case the acquisition and distribution of private agricultural lands therein under advanced phases may be implemented ahead of the above schedules on the condition that prior phases in these provinces have been completed: *Provided*, That notwithstanding the above schedules, phase three (b) shall not be implemented in a particular province until at least ninety percent (90%) of the provincial balance of that particular province as of January 1, 2009 under Phase One, Phase Two (a), Phase Two (b), and Phase Three (a), excluding lands under the jurisdiction of the Department of Environment and Natural Resources (DENR), have been successfully completed.

“The PARC shall establish guidelines to implement the above priorities and distribution scheme, including the determination of who are qualified beneficiaries: *Provided*, That an owner-tiller may be a beneficiary of the land he/she does not own but is actually cultivating to the extent of the difference between the area of the land he/she owns and the award ceiling of three (3) hectares: *Provided, further*, That collective ownership by the farmer beneficiaries shall be subject to Section 25 of Republic Act No. 6657, as amended: *Provided, furthermore*, That rural women shall be given the

opportunity to participate in the development planning and implementation of this Act: *Provided, finally*, That in no case should the agrarian reform beneficiaries' sex, economic, religious, social, cultural and political attributes adversely affect the distribution of lands."

SEC. 6. The title of Section 16 of Republic Act No. 6657, as amended, is hereby further amended to read as follows:

"SEC. 16. Procedure for Acquisition and Distribution of Private Lands."

SEC. 7. Section 17 of Republic Act No. 6657, as amended, is hereby further amended to read as follows:

"SEC. 17. Determination of Just Compensation. — In determining just compensation, the cost of acquisition of the land, the value of the standing crop, the current value of like properties, its nature, actual use and income, the sworn valuation by the owner, the tax declarations, the assessment made by government assessors, and seventy percent (70%) of the zonal valuation of the Bureau of Internal Revenue (BIR), translated into a basic formula by the DAR shall be considered, subject to the final decision of the proper court. The social and economic benefits contributed by the farmers and the farmworkers and by the Government to the property as well as the nonpayment of taxes or loans secured from any government financing institution on the said land shall be considered as additional factors to determine its valuation."

SEC. 8. There shall be incorporated after Section 22 of Republic Act No. 6657, as amended, a new section to read as follows:

"SEC. 22-A. Order of Priority. — A landholding of a landowner shall be distributed first to qualified beneficiaries under Section 22, subparagraphs (a) and (b) of that same landholding up to a maximum of three (3) hectares each.

Only when these beneficiaries have all received three (3) hectares each, shall the remaining portion of the landholding, if any, be distributed to other beneficiaries under Section 22, subparagraphs (c), (d), (e), (f), and (g).”

SEC. 9. Section 24 of Republic Act No. 6657, as amended, is hereby further amended to read as follows:

“SEC. 24. *Award to Beneficiaries.* — The rights and responsibilities of the beneficiaries shall commence from their receipt of a duly registered emancipation patent or certificate of land ownership award and their actual physical possession of the awarded land. Such award shall be completed in not more than one hundred eighty (180) days from the date of registration of the title in the name of the Republic of the Philippines: *Provided,* That the emancipation patents, the certificates of land ownership award, and other titles issued under any agrarian reform program shall be indefeasible and imprescriptible after one (1) year from its registration with the Office of the Registry of Deeds, subject to the conditions, limitations and qualifications of this Act, the property registration decree, and other pertinent laws. The emancipation patents or the certificates of land ownership award being titles brought under the operation of the torrens system, are conferred with the same indefeasibility and security afforded to all titles under the said system, as provided for by Presidential Decree No. 1529, as amended by Republic Act No. 6732.

“It is the ministerial duty of the Registry of Deeds to register the title of the land in the name of the Republic of the Philippines, after the Land Bank of the Philippines (LBP) has certified that the necessary deposit in the name of the landowner constituting full payment in cash or in bond with due notice to the landowner and the registration of the certificate of land ownership award issued to the beneficiaries, and to cancel previous titles pertaining thereto.

“Identified and qualified agrarian reform beneficiaries, based on Section 22 of Republic Act No. 6657, as amended, shall have usufructuary rights over the awarded land as soon as the DAR takes possession of such land, and such right shall not be diminished even pending the awarding of the emancipation patent or the certificate of land ownership award.

“All cases involving the cancellation of registered emancipation patents, certificates of land ownership award, and other titles issued under any agrarian reform program are within the exclusive and original jurisdiction of the Secretary of the DAR.”

SEC. 10. Section 25 of Republic Act No. 6657, as amended, is hereby further amended to read as follows:

“SEC. 25. *Award Ceilings for Beneficiaries.* — Beneficiaries shall be awarded an area not exceeding three (3) hectares, which may cover a contiguous tract of land or several parcels of land cumulated up to the prescribed award limits. The determination of the size of the land for distribution shall consider crop type, soil type, weather patterns and other pertinent variables or factors which are deemed critical for the success of the beneficiaries.

“For purposes of this Act, a landless beneficiary is one who owns less than three (3) hectares of agricultural land.

“Whenever appropriate, the DAR shall encourage the agrarian reform beneficiaries to form or join farmers’ cooperatives for purposes of affiliating with existing cooperative banks in their respective provinces or localities, as well as forming blocs of agrarian reform beneficiaries, corporations, and partnerships and joining other farmers’ collective organizations, including irrigators’ associations: *Provided*, That the agrarian reform beneficiaries shall be

assured of corresponding shares in the corporation, seats in the board of directors, and an equitable share in the profit.

“In general, the land awarded to a farmer-beneficiary should be in the form of an individual title, covering one (1) contiguous tract or several parcels of land cumulated up to a maximum of three (3) hectares.

“The beneficiaries may opt for collective ownership, such as coorkers or farmers cooperative or some other form of collective organization and for the issuance of collective ownership titles: *Provided*, That the total area that may be awarded shall not exceed the total number of co-owners or members of the cooperative or collective organization multiplied by the award limit above prescribed, except in meritorious cases as determined by the PARC.

“The conditions for the issuance of collective titles are as follows:

“(a) The current farm management system of the land covered by CARP will not be appropriate for individual farming of farm parcels;

“(b) The farm labor system is specialized, where the farmworkers are organized by functions and not by specific parcels such as spraying, weeding, packing and other similar functions;

“(c) The potential beneficiaries are currently not farming individual parcels but collectively work on large contiguous areas; and

“(d) The farm consists of multiple crops being farmed in an integrated manner or includes non-crop production areas that are necessary for the viability of farm operations, such as packing plants, storage areas, dikes, and other similar

facilities that cannot be subdivided or assigned to individual farmers.

“For idle and abandoned lands or underdeveloped agricultural lands to be covered by CARP, collective ownership shall be allowed only if the beneficiaries opt for it and there is a clear development plan that would require collective farming or integrated farm operations exhibiting the conditions described above. Otherwise, the land awarded to a farmer-beneficiary should be in the form of an individual title, covering one (1) contiguous tract or several parcels of land cumulated up to a maximum of three (3) hectares.

“In case of collective ownership, title to the property shall be issued in the name of the co-owners or the cooperative or collective organization as the case may be. If the certificates of land ownership award are given to cooperatives then the names of the beneficiaries must also be listed in the same certificate of land ownership award.

“With regard to existing collective certificates of land ownership award, the DAR should immediately undertake the parcelization of said certificates of land ownership award, particularly those that do not exhibit the conditions for collective ownership outlined above. The DAR shall conduct a review and redocumentation of all the collective certificates of land ownership award. The DAR shall prepare a prioritized list of certificates of land ownership award to be parcelized. The parcelization shall commence immediately upon approval of this Act and shall not exceed a period of three (3) years. Only those existing certificates of land ownership award that are collectively farmed or are operated in an integrated manner shall remain as collective.”

SEC. 11. Section 26 of Republic Act No. 6657, as amended, is hereby further amended to read as follows:

“SEC. 26. *Payment by Beneficiaries.* — Lands awarded pursuant to this Act shall be paid for by the beneficiaries to the LBP in thirty (30) annual amortizations at six percent (6%) interest per annum. The annual amortization shall start one (1) year from the date of the certificate of land ownership award registration. However, if the occupancy took place after the certificate of land ownership award registration, the amortization shall start one (1) year from actual occupancy. The payments for the first three (3) years after the award shall be at reduced amounts as established by the PARC: *Provided,* That the first five (5) annual payments may not be more than five percent (5%) of the value of the annual gross production as established by the DAR. Should the scheduled annual payments after the fifth (5th) year exceed ten percent (10%) of the annual gross production and the failure to produce accordingly is not due to the beneficiary’s fault, the LBP shall reduce the interest rate and/or reduce the principal obligation to make the repayment affordable.

“The LBP shall have a lien by way of mortgage on the land awarded to the beneficiary; and this mortgage may be foreclosed by the LBP for non-payment of an aggregate of three (3) annual amortizations. The LBP shall advise the DAR of such proceedings and the latter shall subsequently award the forfeited landholding to other qualified beneficiaries. A beneficiary whose land, as provided herein, has been foreclosed shall thereafter be permanently disqualified from becoming a beneficiary under this Act.”

SEC. 12. Section 27 of Republic Act No. 6657, as amended, is hereby further amended to read as follows:

“SEC. 27. *Transferability of Awarded Lands.* — Lands acquired by beneficiaries under this Act or other agrarian reform laws shall not be sold, transferred or conveyed except through hereditary succession, or to the government, or to the LBP, or to other qualified beneficiaries through the DAR for a period of ten (10) years: *Provided, however,* That the children

or the spouse of the transferor shall have a right to repurchase the land from the government or LBP within a period of two (2) years. Due notice of the availability of the land shall be given by the LBP to the BARC of the barangay where the land is situated. The PARCCOM, as herein provided, shall, in turn, be given due notice thereof by the BARC.

“The title of the land awarded under the agrarian reform must indicate that it is an emancipation patent or a certificate of land ownership award and the subsequent transfer title must also indicate that it is an emancipation patent or a certificate of land ownership award.

“If the land has not yet been fully paid by the beneficiary, the rights to the land may be transferred or conveyed, with prior approval of the DAR, to any heir of the beneficiary or to any other beneficiary who, as a condition for such transfer or conveyance, shall cultivate the land himself/herself. Failing compliance herewith, the land shall be transferred to the LBP which shall give due notice of the availability of the land in the manner specified in the immediately preceding paragraph.

“In the event of such transfer to the LBP, the latter shall compensate the beneficiary in one lump sum for the amounts the latter has already paid, together with the value of improvements he/she has made on the land.”

SEC. 13. Section 36 of Republic Act No. 6657, as amended, is hereby further amended to read as follows:

“SEC. 36. *Funding for Support Services.* — In order to cover the expenses and cost of support services, at least forty percent (40%) of all appropriations for agrarian reform during the five (5)-year extension period shall be immediately set aside and made available for this purpose: *Provided,* That the DAR shall pursue integrated land acquisition and distribution and support services strategy requiring a plan to be developed parallel to the land acquisition and

distribution process. The planning and implementation for land acquisition and distribution shall be hand-in-hand with support services delivery: *Provided, further*, That for the next five (5) years, as far as practicable, a minimum of two (2) Agrarian Reform Communities (ARCs) shall be established by the DAR, in coordination with the local government units, non-governmental organizations, community-based cooperatives and people’s organizations in each legislative district with a predominant agricultural population: *Provided, furthermore*, That the areas in which the ARCs are to be established shall have been substantially covered under the provisions of this Act and other agrarian or land reform laws: *Provided, finally*, That a complementary support services delivery strategy for existing agrarian reform beneficiaries that are not in barangays within the ARCs shall be adopted by the DAR.

“For this purpose, an Agrarian Reform Community is composed and managed by agrarian reform beneficiaries who shall be willing to be organized and to undertake the integrated development of an area and/or their organizations/cooperatives. In each community, the DAR, together with the agencies and organizations abovementioned, shall identify the farmers’ association, cooperative or their respective federations approved by the farmers-beneficiaries that shall take the lead in the agricultural development of the area. In addition, the DAR, in close coordination with the congressional oversight committee created herein, with due notice to the concerned representative of the legislative district prior to implementation shall be authorized to package proposals and receive grants, aids and other forms of financial assistance from any source.”

SEC. 14. Section 37 of Republic Act No. 6657, as amended, is hereby further amended to read as follows:

“SEC. 37. *Support Services for the Agrarian Reform Beneficiaries.* — The State shall adopt the integrated policy of support services delivery to agrarian reform beneficiaries.

To this end, the DAR, the Department of Finance, and the Bangko Sentral ng Pilipinas (BSP) shall institute reforms to liberalize access to credit by agrarian reform beneficiaries. The PARC shall ensure that support services for agrarian reform beneficiaries are provided, such as:

“(a) Land surveys and titling;

“(b) Socialized terms on agricultural credit facilities;

“Thirty percent (30%) of all appropriations for support services referred to in Section 36 of Republic Act No. 6657, as amended, shall be immediately set aside and made available for agricultural credit facilities: *Provided*, That one-third (1/3) of this segregated appropriation shall be specifically allocated for subsidies to support the initial capitalization for agricultural production to new agrarian reform beneficiaries upon the awarding of the emancipation patent or the certificate of land ownership award and the remaining two-thirds (2/3) shall be allocated to provide access to socialized credit to existing agrarian reform beneficiaries, including the leaseholders: *Provided, further*, the LBP and other concerned government financial institutions, accredited savings and credit cooperatives, financial service cooperatives and accredited cooperative banks shall provide the delivery system for disbursement of the above financial assistance to individual agrarian reform beneficiaries, holders of collective titles and cooperatives.

“For this purpose, all financing institutions may accept as collateral for loans the purchase orders, marketing agreements or expected harvests: *Provided*, That loans obtained shall be used in the improvement or development of the farmholding of the agrarian reform beneficiary or the establishment of facilities which shall enhance production or marketing of agricultural products or increase farm income therefrom: *Provided, further*, That of the remaining seventy percent (70%) for the support services, fifteen percent (15%)

shall be earmarked for farm inputs as requested by the duly accredited agrarian reform beneficiaries' organizations, such as, but not limited to: (1) seeds, seedlings and/or planting materials; (2) organic fertilizers; (3) pesticides; (4) herbicides; and (5) farm animals, implements/machineries; and five percent (5%) for seminars, trainings and the like to help empower agrarian reform beneficiaries.

“(c) Extension services by way of planting, cropping, production and post-harvest technology transfer, as well as marketing and management assistance and support to cooperatives and farmers' organizations;

“(d) Infrastructure such as, but not limited to, access trails, mini-dams, public utilities, marketing and storage facilities;

“(e) Research, production and use of organic fertilizers and other local substances necessary in farming and cultivation; and

“(f) Direct and active DAR assistance in the education and organization of actual and potential agrarian reform beneficiaries, at the barangay, municipal, city, provincial, and national levels, towards helping them understand their rights and responsibilities as owner-cultivators developing farm-related trust relationships among themselves and their neighbors, and increasing farm production and profitability with the ultimate end of empowering them to chart their own destiny. The representatives of the agrarian reform beneficiaries to the PARC shall be chosen from the nominees of the duly accredited agrarian reform beneficiaries' organizations, or in its absence, from organizations of actual and potential agrarian reform beneficiaries as forwarded to and processed by the PARC EXCOM.

“The PARC shall formulate policies to ensure that support services for agrarian reform beneficiaries shall be

provided at all stages of the program implementation with the concurrence of the concerned agrarian reform beneficiaries.

“The PARC shall likewise adopt, implement, and monitor policies and programs to ensure the fundamental equality of women and men in the agrarian reform program as well as respect for the human rights, social protection, and decent working conditions of both paid and unpaid men and women farmer-beneficiaries.

“The *Bagong Kilusang Kabuhayan sa Kaunlaran* (BKKK) Secretariat shall be transferred and attached to the LBP, for its supervision including all its applicable and existing funds, personnel, properties, equipment and records.

“Misuse or diversion of the financial and support services herein provided shall result in sanctions against the beneficiary guilty thereof, including the forfeiture of the land transferred to him/her or lesser sanctions as may be provided by the PARC, without prejudice to criminal prosecution.”

SEC. 15. There shall be incorporated after Section 37 of Republic Act No. 6657, as amended, a new section to read as follows:

“SEC. 37-A. *Equal Support Services for Rural Women.* — Support services shall be extended equally to women and men agrarian reform beneficiaries.

“The PARC shall ensure that these support services, as provided for in this Act, integrate the specific needs and well-being of women farmer-beneficiaries taking into account the specific requirements of female family members of farmer-beneficiaries.

“The PARC shall also ensure that rural women will be able to participate in all community activities. To this effect, rural women are entitled to self-organization in order to obtain equal access to economic opportunities and to have access

to agricultural credit and loans, marketing facilities and technology, and other support services, and equal treatment in land reform and resettlement schemes.

“The DAR shall establish and maintain a women’s desk, which will be primarily responsible for formulating and implementing programs and activities related to the protection and promotion of women’s rights, as well as providing an avenue where women can register their complaints and grievances principally related to their rural activities.”

SEC. 16. Section 38 of Republic Act No. 6657, as amended, is hereby further amended to read as follows:

“SEC. 38. *Support Services for Landowners.*— The PARC, with the assistance of such other government agencies and instrumentalities as it may direct, shall provide landowners affected by the CARP and prior agrarian reform programs with the following services:

“(a) Investment information, financial and counseling assistance, particularly investment information on government-owned and/or -controlled corporations and disposable assets of the government in pursuit of national industrialization and economic independence:

“(b) Facilities, programs and schemes for the conversion or exchange of bonds issued for payment of the lands acquired with stocks and bonds issued by the National Government, the BSP and other government institutions and instrumentalities;

“(c) Marketing of agrarian reform bonds, as well as promoting the marketability of said bonds in traditional and non-traditional financial markets and stock exchanges; and/or

“(d) Other services designed to utilize productively the proceeds of the sale of such lands for rural industrialization.

“A landowner who invests in rural-based industries shall be entitled to the incentives granted to a registered enterprise engaged in a pioneer or preferred area of investment as provided for in the Omnibus Investment Code of 1987, or to such other incentives as the PARC, the LBP, or other government financial institutions shall provide.

“The LBP shall redeem a landowner’s agrarian reform bonds at face value as an incentive: *Provided*, That at least fifty percent (50%) of the proceeds thereof shall be invested in a Board of Investments (BOI)-registered company or in any agribusiness or agro-industrial enterprise in the region where the CARP-covered landholding is located. An additional incentive of two percent (2%) in cash shall be paid to a landowner who maintains his/her enterprise as a going concern for five (5) years or keeps his/her investments in a BOI-registered firm for the same period: *Provided, further*, That the rights of the agrarian reform beneficiaries are not, in any way, prejudiced or impaired thereby.

“The DAR, the LBP and the Department of Trade and Industry shall jointly formulate the program to carry out these provisions under the supervision of the PARC: *Provided*, That in no case shall the landowners’ sex, economic, religious, social, cultural and political attributes exclude them from accessing these support services.”

SEC. 17. Section 41 of Republic Act No. 6657, as amended, is hereby further amended to read as follows:

“SEC. 41. *The Presidential Agrarian Reform Council.* — The Presidential Agrarian Reform Council (PARC) shall be composed of the President of the Philippines as Chairperson, the Secretary of Agrarian Reform as Vice-Chairperson and the following as members: Secretaries of the Departments of Agriculture; Environment and Natural Resources; Budget and Management; Interior and Local Government; Public Works and Highways; Trade and Industry; Finance; and

Labor and Employment; Director-General of the National Economic and Development Authority; President, Land Bank of the Philippines; Administrator, National Irrigation Administration; Administrator, Land Registration Authority; and six (6) representatives of affected landowners to represent Luzon, Visayas and Mindanao; six (6) representatives of agrarian reform beneficiaries, two (2) each from Luzon, Visayas and Mindanao: *Provided*, That at least one (1) of them shall be from the indigenous peoples: *Provided, further*, That at least one (1) of them shall come from a duly recognized national organization of rural women or a national organization of agrarian reform beneficiaries with a substantial number of women members: *Provided, finally*, That at least twenty percent (20%) of the members of the PARC shall be women but in no case shall they be less than two (2).”

SEC. 18. Section 50 of Republic Act No. 6657, as amended, is hereby further amended to read as follows:

“SEC. 50. *Quasi-Judicial Powers of the DAR.* — The DAR is hereby vested with primary jurisdiction to determine and adjudicate agrarian reform matters and shall have exclusive original jurisdiction over all matters involving the implementation of agrarian reform, except those falling under the exclusive jurisdiction of the Department of Agriculture (DA) and the DENR.

“It shall not be bound by technical rules of procedure and evidence but shall proceed to hear and decide all cases, disputes or controversies in a most expeditious manner, employing all reasonable means to ascertain the facts of every case in accordance with justice and equity and the merits of the case. Toward this end, it shall adopt a uniform rule of procedure to achieve a just, expeditious and inexpensive determination of every action or proceeding before it.

“It shall have the power to summon witnesses, administer oaths, take testimony, require submission of reports, compel

the production of books and documents and answers to interrogatories and issue *subpoena*, and *subpoena duces tecum* and to enforce its writs through sheriffs or other duly deputized officers. It shall likewise have the power to punish direct and indirect contempts in the same manner and subject to the same penalties as provided in the Rules of Court.

“Responsible farmer leaders shall be allowed to represent themselves, their fellow farmers, or their organizations in any proceedings before the DAR: *Provided, however,* That when there are two or more representatives for any individual or group, the representatives should choose only one among themselves to represent such party or group before any DAR proceedings.

“Notwithstanding an appeal to the Court of Appeals, the decision of the DAR shall be immediately executory except a decision or a portion thereof involving solely the issue of just compensation.”

SEC. 19. Section 50 of Republic Act No. 6657, as amended, is hereby further amended by adding Section 50-A to read as follows:

“SEC. 50-A. *Exclusive Jurisdiction on Agrarian Dispute.*
— No court or prosecutor’s office shall take cognizance of cases pertaining to the implementation of the CARP except those provided under Section 57 of Republic Act No. 6657, as amended. If there is an allegation from any of the parties that the case is agrarian in nature and one of the parties is a farmer, farmworker, or tenant, the case shall be automatically referred by the judge or the prosecutor to the DAR which shall determine and certify within fifteen (15) days from referral whether an agrarian dispute exists: *Provided,* That from the determination of the DAR, an aggrieved party shall have judicial recourse. In cases referred by the municipal trial court and the prosecutor’s office, the appeal shall be with the proper regional trial court, and in cases referred by the regional trial court, the appeal shall be to the Court of Appeals.

“In cases where regular courts or quasi-judicial bodies have competent jurisdiction, agrarian reform beneficiaries or identified beneficiaries and/or their associations shall have legal standing and interest to intervene concerning their individual or collective rights and/or interests under the CARP.

“The fact of non-registration of such associations with the Securities and Exchange Commission, or Cooperative Development Authority, or any concerned government agency shall not be used against them to deny the existence of their legal standing and interest in a case filed before such courts and quasi-judicial bodies.”

SEC. 20. Section 55 of Republic Act No. 6657, as amended, is hereby further amended to read as follows:

“SEC. 55. *No Restraining Order or Preliminary Injunction.* — Except for the Supreme Court, no court in the Philippines shall have jurisdiction to issue any restraining order or writ of preliminary injunction against the PARC, the DAR, or any of its duly authorized or designated agencies in any case, dispute or controversy arising from, necessary to, or in connection with the application, implementation, enforcement, or interpretation of this Act and other pertinent laws on agrarian reform.”

SEC. 21. Section 63 of Republic Act No. 6657, as amended, is hereby further amended to read as follows:

“SEC. 63. *Funding Source.* — The amount needed to further implement the CARP as provided in this Act, until June 30, 2014, upon expiration of funding under Republic Act No. 8532 and other pertinent laws, shall be funded from the Agrarian Reform Fund and other funding sources in the amount of at least One hundred fifty billion pesos (P150,000,000,000.00).

“Additional amounts are hereby authorized to be appropriated as and when needed to augment the Agrarian Reform Fund in order to fully implement the provisions of this Act during the five (5)-year extension period.

“Sources of funding or appropriations shall include the following:

“(a) Proceeds of the sales of the Privatization and Management Office (PMO);

“(b) All receipts from assets recovered and from sales of ill-gotten wealth recovered through the PCGG excluding the amount appropriated for compensation to victims of human rights violations under the applicable law;

“(c) Proceeds of the disposition and development of the properties of the Government in foreign countries, for the specific purposes of financing production credits, infrastructure and other support services required by this Act;

“(d) All income and collections of whatever form and nature arising from the agrarian reform operations, projects and programs of the DAR and other CARP implementing agencies;

“(e) Portion of amounts accruing to the Philippines from all sources of official foreign aid grants and concessional financing from all countries, to be used for the specific purposes of financing productions, credits, infrastructures, and other support services required by this Act;

“(f) Yearly appropriations of no less than Five billion pesos (P5,000,000,000.00) from the General Appropriations Act;

“(g) Gratuitous financial assistance from legitimate sources; and

(h) Other government funds not otherwise appropriated.

“All funds appropriated to implement the provisions of this Act shall be considered continuing appropriations during the period of its implementation: *Provided*, That if the need arises, specific amounts for bond redemptions, interest payments and other existing obligations arising from the implementation of the program shall be included in the annual General Appropriations Act: *Provided, further*, That all just compensation payments to landowners, including execution of judgments therefor, shall only be sourced from the Agrarian Reform Fund: *Provided, however*, That just compensation payments that cannot be covered within the approved annual budget of the program shall be chargeable against the debt service program of the national government, or any unprogrammed item in the General Appropriations Act: *Provided, finally*, That after the completion of the land acquisition and distribution component of the CARP, the yearly appropriation shall be allocated fully to support services, agrarian justice delivery and operational requirements of the DAR and the other CARP implementing agencies.”

SEC. 22. Section 65 of Republic Act No. 6657, as amended, is hereby further amended to read as follows:

“SEC. 65. *Conversion of Lands.* — After the lapse of five (5) years from its award, when the land ceases to be economically feasible and sound for agricultural purposes, or the locality has become urbanized and the land will have a greater economic value for residential, commercial or industrial purposes, the DAR, upon application of the beneficiary or the landowner with respect only to his/her retained area which is tenanted, with due notice to the affected parties, and subject to existing laws, may authorize the reclassification or conversion of the land and its disposition: *Provided*, That if the applicant is a beneficiary under agrarian laws and the land sought to be converted is the land awarded to him/her or any portion thereof, the applicant, after the conversion is granted, shall

invest at least ten percent (10%) of the proceeds coming from the conversion in government securities: *Provided, further*, That the applicant upon conversion shall fully pay the price of the land: *Provided, furthermore*, That irrigated and irrigable lands, shall not be subject to conversion: *Provided, finally*, That the National Irrigation Administration shall submit a consolidated data on the location nationwide of all irrigable lands within one (1) year from the effectivity of this Act.

“Failure to implement the conversion plan within five (5) years from the approval of such conversion plan or any violation of the conditions of the conversion order due to the fault of the applicant shall cause the land to automatically be covered by CARP.”

SEC. 23. Section 68 of Republic Act No. 6657, as amended, is hereby further amended to read as follows:

“SEC. 68. *Immunity of Government Agencies from Undue Interference.* — In cases falling within their jurisdiction, no injunction, restraining order, prohibition or mandamus shall be issued by the regional trial courts, municipal trial courts, municipal circuit trial courts, and metropolitan trial courts against the DAR, the DA, the DENR, and the Department of Justice in their implementation of the Program.”

SEC. 24. Section 73 of Republic Act No. 6657, as amended, is hereby further amended to read as follows:

“SEC. 73. *Prohibited Acts and Omissions.* — The following are prohibited:

“(a) The ownership or possession, for the purpose of circumventing the provisions of this Act, of agricultural lands in excess of the total retention limits or award ceilings by any person, natural or juridical, except those under collective ownership by farmer-beneficiaries;

“(b) The forcible entry or illegal detainer by persons who are not qualified beneficiaries under this Act to avail themselves of the rights and benefits of the Agrarian Reform Program;

“(c) Any conversion by any landowner of his/her agricultural land into any non-agricultural use with intent to avoid the application of this Act to his/her landholdings and to dispossess his/her bonafide tenant farmers;

“(d) The malicious and willful prevention or obstruction by any person, association or entity of the implementation of the CARP;

“(e) The sale, transfer, conveyance or change of the nature of lands outside of urban centers and city limits either in whole or in part after the effectivity of this Act, except after final completion of the appropriate conversion under Section 65 of Republic Act No. 6657, as amended. The date of the registration of the deed of conveyance in the Register of Deeds with respect to titled lands and the date of the issuance of the tax declaration to the transferee of the property with respect to unregistered lands, as the case may be, shall be conclusive for the purpose of this Act;

“(f) The sale, transfer or conveyance by a beneficiary of the right to use or any other usufructuary right over the land he/she acquired by virtue of being a beneficiary, in order to circumvent the provisions of this Act;

“(g) The unjustified, willful, and malicious act by a responsible officer or officers of the government through the following:

“(1) The denial of notice and/or reply to landowners;

“(2) The deprivation of retention rights;

“(3) The undue or inordinate delay in the preparation of claim folders; or

“(4) Any undue delay, refusal or failure in the payment of just compensation;

“(h) The undue delay or unjustified failure of the DAR, the LBP, the PARC, the PARCCOM, and any concerned government agency or any government official or employee to submit the required report, data and/or other official document involving the implementation of the provisions of this Act, as required by the parties or the government, including the House of Representatives and the Senate of the Philippines as well as their respective committees, and the congressional oversight committee created herein;

“(i) The undue delay in the compliance with the obligation to certify or attest and/or falsification of the certification or attestation as required under Section 7 of Republic Act No. 6657, as amended; and

“(j) Any other culpable neglect or willful violations of the provisions of this Act.

“In the case of government officials and employees, a conviction under this Act is without prejudice to any civil case and/or appropriate administrative proceedings under civil service law, rules and regulations.

“Any person convicted under this Act shall not be entitled to any benefit provided for in any agrarian reform law or program.”

SEC. 25. Section 74 of Republic Act No. 6657, as amended, is hereby further amended to read as follows:

“SEC. 74. *Penalties.* — Any person who knowingly or willfully violates the provisions of this Act shall be punished

by imprisonment of not less than one (1) month to not more than three (3) years or a fine of not less than One thousand pesos (P1,000.00) and not more than Fifteen thousand pesos (P15,000.00), or both, at the discretion of the court: *Provided*, That the following corresponding penalties shall be imposed for the specific violations hereunder:

“(a) Imprisonment of three (3) years and one (1) day to six (6) years or a fine of not less than Fifty thousand pesos (P50,000.00) and not more than One hundred fifty thousand pesos (P150,000.00), or both, at the discretion of the court upon any person who violates Section 73, subparagraphs (a), (b), (f), (g), and (h) of Republic Act No. 6657, as amended; and

“(b) Imprisonment of six (6) years and one (1) day to twelve (12) years or a fine of not less than Two hundred thousand pesos (P200,000.00) and not more than One million pesos (P1,000,000.00), or both, at the discretion of the court upon any person who violates Section 73, subparagraphs (c), (d), (e), and (i) of Republic Act No. 6657, as amended.

“If the offender is a corporation or association, the officer responsible therefor shall be criminally liable.”

SEC. 26. *Congressional Oversight Committee.* — A Congressional Oversight Committee on Agrarian Reform (COCAR) is hereby created to oversee and monitor the implementation of this Act. It shall be composed of the Chairpersons of the Committee on Agrarian Reform of both Houses of Congress, three (3) Members of the House of Representatives, and three (3) Members of the Senate of the Philippines, to be designated respectively by the Speaker of the House of Representatives and the President of the Senate of the Philippines.

The Chairpersons of the Committees on Agrarian Reform of the House of Representatives and of the Senate of the Philippines shall be the Chairpersons of the COCAR. The Members shall receive

no compensation; however, traveling and other necessary expenses shall be allowed.

In order to carry out the objectives of this Act, the COCAR shall be provided with the necessary appropriations for its operation. An initial amount of Twenty-five million pesos (P25,000,000.00) is hereby appropriated for the COCAR for the first year of its operation and the same amount shall be appropriated every year thereafter.

The term of the COCAR shall end six (6) months after the expiration of the extended period of five (5) years.

SEC. 27. Powers and Functions of the COCAR. — The COCAR shall have the following powers and functions:

(a) Prescribe and adopt guidelines which shall govern its work;

(b) Hold hearings and consultations, receive testimonies and reports pertinent to its specified concerns;

(c) Secure from any department, bureau, office or instrumentality of the government such assistance as may be needed, including technical information, preparation and production of reports and submission of recommendations or plans as it may require, particularly a yearly report of the record or performance of each agrarian reform beneficiary as provided under Section 22 of Republic Act No. 6657, as amended;

(d) Secure from the DAR or the LBP information on the amount of just compensation determined to be paid or which has been paid to any landowner;

(e) Secure from the DAR or the LBP quarterly reports on the disbursement of funds for the agrarian reform program;

(f) Oversee and monitor, in such a manner as it may deem necessary, the actual implementation of the program and projects by the DAR;

(g) Summon by *subpoena* any public or private citizen to testify before it, or require by *subpoena duces tecum* to produce before it such records, reports, or other documents as may be necessary in the performance of its functions;

(h) Engage the services of resource persons from the public and private sectors as well as civil society including the various agrarian reform groups or organizations in the different regions of the country as may be needed;

(i) Approve the budget for the work of the Committee and all disbursements therefrom, including compensation of all personnel;

(j) Organize its staff and hire and appoint such employees and personnel whether temporary, contractual or on consultancy, subject to applicable rules; and

(k) Exercise all the powers necessary and incidental to attain the purposes for which it is created.

SEC. 28. *Periodic Reports.* — The COCAR shall submit to the Speaker of the House of Representatives and to the President of the Senate of the Philippines periodic reports on its findings and recommendations on actions to be undertaken by both Houses of Congress, the DAR, and the PARC.

SEC. 29. *Access to Information.* — Notwithstanding the provisions of Republic Act No. 1405 and other pertinent laws, information on the amount of just compensation paid to any landowner under Republic Act No. 6657, as amended, and other agrarian reform laws shall be deemed public information.

SEC. 30. *Resolution of Cases.* — Any case and/or proceeding involving the implementation of the provisions of Republic Act No. 6657, as amended, which may remain pending on June 30, 2014 shall be allowed to proceed to its finality and be executed even beyond such date.

SEC. 31. *Implementing Rules and Regulations.* — The PARC and the DAR shall provide the necessary implementing rules and regulations within thirty (30) days upon the approval of this Act. Such rules and regulations shall take effect on July 1, 2009 and it shall be published in at least two (2) newspapers of general circulation.

SEC. 32. *Repealing Clause.* — Section 53 of Republic Act No. 3844, otherwise known as the Agricultural Land Reform Code, is hereby repealed and all other laws, decrees, executive orders, issuances, rules and regulations, or parts thereof inconsistent with this Act are hereby likewise repealed or amended accordingly.

SEC. 33. *Separability Clause.* — If, for any reason, any section or provision of this Act is declared unconstitutional or invalid, the other sections or provisions not affected thereby shall remain in full force and effect.

SEC. 34. *Effectivity Clause.* — This Act shall take effect on July 1, 2009 and it shall be published in at least two (2) newspapers of general circulation.

Approved,

(Sgd.) PROSPERO C. NOGRALES	(Sgd.) JUAN PONCE ENRILE
<i>Speaker of the House of Representatives</i>	<i>President of the Senate</i>

This Act, which is a consolidation of Senate Bill No. 2666 and House Bill No. 4077 was finally passed by the Senate and the House of Representatives on August 3, 2009 and July 29, 2009, respectively.

(Sgd.) MARILYN B. BARUA-YAP	(Sgd.) EMMA LIRIO-REYES
<i>Secretary General House of Representatives</i>	<i>Secretary of the Senate</i>

Approved: AUG 07 2009

(Sgd.) GLORIA MACAPAGAL-ARROYO
President of the Philippines

RA 9700 amended RA 6657.

RA 9700 amended or repealed RA 3844 (sec. 53).

S. No. 3431
H. No. 6095

Republic of the Philippines
CONGRESS OF THE PHILIPPINES
Metro Manila

Fourteenth Congress
Third Regular Session

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

REPUBLIC ACT NO. 10000

AN ACT PROVIDING FOR AN AGRICULTURE AND AGRARIAN REFORM CREDIT AND FINANCING SYSTEM THROUGH BANKING INSTITUTIONS

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

ARTICLE I

GENERAL PROVISIONS

SECTION 1. *Short Title.* - This Act shall be known as “The Agri-Agra Reform Credit Act of 2009”.

SEC. 2. *Declaration of Policy.* - It is hereby declared the policy of the State to promote equal access to opportunities under an environment of sustained growth and expanding productivity as the key to raising the quality of life for all. Towards this end, the State shall promote rural development by enhancing access of the rural agricultural sector to financial services and programs that increase market efficiency and promote modernization in the rural agricultural sector.

SEC. 3. *Definition of Terms.* - As used in this Act, the term:

(a) *Accredited Rural Financial Institution* refers to any financial institution accredited by the Bangko Sentral ng Pilipinas (BSP) whose portfolios are substantially agri-agra related as defined by the implementing rules and regulations.

(b) *Agrarian Reform Beneficiary* refers to farmers who were granted lands under Presidential Decree No. 27, the Comprehensive Agrarian Reform Law and Republic Act No. 9700 or the “Comprehensive Agrarian Reform Extension with Reforms” and regular farm workers who are landless, irrespective of tenurial arrangement, who benefited from the redistribution of lands, regardless of crops or fruits produced, to include the totality of factors and support services designed to lift the economic status of the beneficiaries and all other alternative arrangements to the physical distribution of lands, such as production or profit sharing, labor administration, and the distribution of shares of stock which will allow beneficiaries to receive a just share of the fruits of the lands they work.

(c) *Agricultural Guarantee Fund Pool (AGFP)* refers to the five percent (5%) of the 2007 surplus of the government-owned and/or -controlled corporations and government financial institutions including the Philippine Amusement and Gaming Corporation (PAGCOR), the Philippine Charity Sweepstakes Office (PCSO), the Social Security System (SSS), and the Government Service Insurance System (GSIS) as mandated by Administrative Order No. 225-A, series of 2008, and the penalties collected from banking institutions for noncompliance and undercompliance as provided under this Act.

(d) *Agricultural Lessee* refers to any person who, with or without help from his/her immediate farm household, cultivates the land owned by another for a certain price in money, in produce, or in both.

(e) *Agro-Industry Modernization Credit and Financing Program (AMCFP)* refers to the umbrella credit/financing program of the government for the agriculture and fisheries sector created under Republic Act No. 8435, otherwise known as the “Agriculture and Fisheries Modernization Act of 1997”. By design, AMCFP funds are provided as loans to government financial institutions (GIFs) called ‘credit wholesalers’, which in turn relend them to qualified ‘credit retailers’ that include rural banks, thrift banks, cooperative banks, nongovernment organizations (NGOs), National Food Authority (NFA) and other associations/people’s organizations engaged in lending to small farmers and fisherfolk.

(f) *Amortizing Owners* refer to landowners who still amortize payment for the land to a private individual or to the State.

(g) *Compact Farmers* refer to those farmers with adjoining farms operating as a single unit under one management, farm plan and budget.

(h) *Farmer* refers to a natural person whose primary livelihood is cultivation of land or the production of agricultural crops, agroforest products, livestock and/or fisheries, either by himself/herself, or primarily with the assistance of his/her immediate farm household, whether the land is owned by him/her or by another person under a leasehold or share tenancy agreement or arrangement with the owner thereof.

(i) *Farmworker* refers to a natural person who renders service for value as an employee or laborer in an agricultural enterprise or farm regardless of whether his/her compensation is paid on daily, weekly, monthly or “pakyaw” basis. The term includes an individual whose work has ceased as a consequence of, or in connection with, a pending agrarian dispute who has not obtained a substantially equivalent and regular farm employment.

(j) *Farmer’s Cooperatives* refer to organizations composed primarily of small agricultural producers, farmers, farmworkers, or other agrarian reform beneficiaries who voluntarily organize

themselves for the purpose of pooling land, manpower, technological, financial or other economic resources, and operate on the principle of one member, one vote. A juridical person may be a member of a cooperative, with the same rights and duties as a natural person.

(k) *Farmer's and Fisherfolk's Organization or Associations* refers to farmer's and fisherfolk's cooperatives, associations or corporations duly registered with appropriate government agencies and which are composed primarily of small agricultural producers, farmers, farmworkers, agrarian reform beneficiaries, fisherfolk who voluntarily join together to form business enterprises or non-business organizations which they themselves own, control and patronize.

(l) *Financial Services* refer to services extended by banks/ financial institutions such as, but not limited to, credit/lending, deposits and rediscounting.

(m) *Fisherfolk* refers to people directly or personally and physically engaged in taking and/or culturing and processing fishery and/or aquatic resources.

(n) *Fishworker* refers to a person whether or not regularly employed in commercial fishing and related industries, whose income is either from wages, profit sharing or stratified sharing basis, including those working in fishpens, fish corral/traps, fishponds, prawn farms, sea farms, salt beds, fish ports, fishing boat or trawlers, or fish processing and/or packing plants, but excluding administrators, security guards and overseers.

(o) *Owner-Cultivators* refer to natural persons who own lands by purchase, inheritance, or land distribution by the State. Owner-Cultivators can operate the farm themselves, supervise wage labor or delegate operations to farmers.

(p) *Philippine Crop Insurance Corporation (PCIC)* refers to a government-owned and -controlled corporation which provides insurance protection to the country's agricultural producers,

particularly the subsistence farmers against crop losses Arising from natural calamities such as typhoons, rising sea levels, floods, drought, earthquakes, volcanic eruptions, plant diseases and pest infestation, and non-crop agricultural asset losses due to perils for which the asset has been insured against.

(q) *Quedan and Rural Credit Guarantee Corporation (QUEDANCOR)* refers to a non-bank government financing institution (GFI) under the policy supervision of the Department of Agriculture (DA) created under Republic Act No. 7393 geared towards the establishment of an effective credit delivery system and a guarantee facility that would promote inventory financing of agri-aqua commodities, production and post-harvest production facilities, farm and fishery machineries and equipment, investment in production inputs and labor and the development of rural livelihood enterprise.

(r) *Settlers* refer to persons who range from the forest-clearing pioneers, including indigenous people, with a subsistence economy to the better equipped and more experienced farmers.

(s) *Tenant Farmer* refers to one who cultivates another's land under a sharing or leasehold agreement.

ARTICLE II

AGRICULTURAL CREDIT, INSURANCE AND FINANCING SYSTEM

SEC. 4. *Agriculture, Fisheries and Agrarian Reform Credit, Insurance and Financing System.* - There shall be evolved an agriculture, fisheries and agrarian reform credit, insurance and financing system to improve the productivity of the agriculture and fisheries sectors, particularly the farmers, fisherfolk and agrarian reform beneficiaries, settlers, agricultural lessees, amortizing owners, farmworkers, fishworkers, owner-cultivators, compact farmers, farmer's and fisherfolk's cooperatives, organizations and associations, through government and private banking institutions.

Agriculture and agrarian reform credit, as used herein, shall consist of loans activities and purposes including, but not limited to, agricultural production, promotion of agribusiness and exports, acquisition of work animals, farm and fishery equipment and machinery, seeds, fertilizers, poultry, livestock, feeds and other similar items, acquisition of lands authorized under the Agrarian Reform Code of the Philippines and its amendments; construction, acquisition and repair of facilities for production, processing, storage and marketing and such other facilities in support of agriculture and fisheries; and efficient and effective merchandising of agricultural and fishery commodities stored and/or processed by the facilities aforesaid in domestic and foreign commerce.

SEC. 5. Agriculture and Agrarian Reform Credit Beneficiaries.

- The credit mentioned in the preceding section shall be extended to the beneficiaries named therein or to cooperatives and associations in good standing of such beneficiaries regardless of capitalization based on the feasibility of the project and their paying capacity, their estimated production, and/or securities they can provide from the proceeds of the loan.

SEC. 6. Credit Quota. - All banking institutions, whether government or private, shall set aside at least twenty-five percent (25%) of their total loanable funds for agriculture and fisheries credit in general, of which at least ten percent (10%) of the loanable funds shall be made available for agrarian reform beneficiaries mentioned in Section 5 hereof: *Provided, however,* That total loanable funds as used in the section shall refer to funds generated from the date of effectivity of this Act: *Provided, further,* That the twenty -five percent (25%) credit quota is subject to a joint review by the Department of Agriculture (DA), the Department of Agriculture Reform (DAR) and the Bangko Sentral ng Pilipinas (BSP) after three (3) years of implementation to determine whether the law has been effective in accomplishing its goals. The findings shall be submitted to Congress.

SEC. 7. Modes of Compliance. - The BSP, the DA and the DAR, in consultation with concerned agencies and sectors, shall

promulgate such rules and regulations as may be necessary to implement the provisions of this Act within ninety (90) days after the approval of this Act. Such rules and regulations shall take effect fifteen (15) days after its publication in a newspaper of general circulation in the Philippines. Subject to such rules and regulations, banking institutions may be allowed to:

(a) Invest in bonds issued by the Development Bank of the Philippines (DBP) and the Land Bank of the Philippines (LBP) and/or open special deposit accounts (SDAs) with accredited rural financial institutions defined by the implementing rules and regulations: *Provided*, That the proceeds from said bonds and SDAs shall be used exclusively for on-lending to the agriculture and agrarian reform sector: *Provided, further*, That proceeds from said bonds and SDAs shall be separately accounted for by the DBP, the LBP and the depository thrift banks, cooperative banks and rural banks and shall not be considered for purposes of computing the loanable funds under Section 6 hereof of the said banks: *Provided, furthermore*, That loanable funds channelled as compliance under subsections (b), (c), (d), (e) and (f) even if said funds are later used by conduit banks in activities similar to those provided for in subsections (b), (c), (d), (e) and (f);

(b) Rediscount with the universal banks and commercial banks, including local branches of foreign banks eligible paper covering agriculture, fisheries and agrarian reform credits, including loans covered by guarantees of the QUEDANCOR, and the PCTC: *Provided*, That rediscounted paper shall no longer be eligible as compliance on the part of the originating bank;

(c) Lend for the construction and upgrading of infrastructure including, but not limited to, farm-to-market roads, as well as the provision of post harvest facilities and other public infrastructure that will benefit the agriculture, fisheries and agrarian reform sector.

(d) Invest directly in preferred shares of stock in rural financial institutions like rural banks, cooperative banks, farmer's

cooperatives and farmer’s cooperatives and farmer’s cooperative insurance or mutual benefit associations or lend wholesale to rural financial institutions accredited by the BSP: *Provided*, That credit facility shall be exclusively used for on-lending to the agriculture, fisheries and agrarian reform sector: *Provided, further*, That the wholesale loans shall be credited as compliance of the wholesale lender alone: *Provided, finally*, That allowable alternative modes of compliance should directly target the agriculture, fisheries and agrarian reform sector;

(e) Invest in shares of stock of the QUEDANCOR and the PCIC; and

(f) Loans or investments in the activities identified under the AMCFP as enumerated under Chapter 3 Credit Section 23 of Republic Act No. 8435 or the Agriculture and Fisheries Modernization Act (AFMA).

SEC. 8. The alternative compliance enumerated in the preceding section shall also be subject to joint review by the DA, the DAR and the BSP after three (3) years of the implementation to determine whether the modes of compliance directly target the agriculture, fisheries and agrarian reform sector. The Findings shall be submitted to Congress.

ARTICLE III

MISCELLANEOUS PROVISIONS

SEC. 9. *Annual Reports.* - The BSP shall furnish reports on the compliance with the mandatory credit allocation to the DA, the DAR and Congress on a yearly basis.

SEC. 10. *Penalty Clause.* - The BSP shall impose administrative sanctions and other penalties on the lending institutions for noncompliance with the provisions of this Act. Penalties on noncompliance shall be computed at one-half of one percent (0.5%) of noncompliance and undercompliance and shall be directed to the

development of the agri-agra sector. Ninety percent(90%) of the penalties collected shall be allocated between the AGFP and PCIC according to the needs of the agri-agra sector as provided for in implementing rules and regulations of this Act and the remaining ten percent (10%) shall be given to the BSP to cover administrative expenses.

SEC. 11. *Repealing Clause.* - Presidential Decree 717, the second paragraph under Section 8 of Republic Act No. 7900, otherwise known as High-Value Crops Development Act of 1995, and Section 9 of Republic Act No. 7721, otherwise known as liberalizing the Entry and Scope of Operations of Foreign Banks in the Philippines, are all hereby repealed. Other laws, presidential decrees, executive orders, rules and regulations, or parts thereof inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SEC. 12. *Separability Clause.* - If any part, section or provision of this Act is held invalid or unconstitutional, other provisions not affected thereby shall remain in force and effect.

SEC. 13. *Transitory Provision.* - Prior to the effectivity of the implementing rules and regulations of this Act, the provisions of Presidential Decree No. 717 shall remain in force.

SEC. 14. *Effectivity.* - This Act shall take effect fifteen (15) days after its publication in the *Official Gazette* or in a newspaper of general circulation.

Approved,

(Sgd.) PROSPERO C. NOGRALES
*Speaker of the House
of Representatives*

(Sgd.) JUAN PONCE ENRILE
President of the Senate

This Act, which is a consolidation of Senate Bill No. 3431 and House Bill No. 6095 was finally passed by the Senate and the House of Representatives on December 16, 2009 and December 15, 2009, respectively.

(Sgd.) MARILYN B. BARUA-YAP (Sgd.) EMMA LIRIO-REYES
Secretary General *Secretary of the Senate*
House of Representatives

Approved: FEB 23 2010

(Sgd.) GLORIA MACAPAGAL-ARROYO
President of the Philippines

RA 10000 repealed PD 717.

RA 10000 repealed RA 7721 (sec. 9).

RA 10000 repealed RA 7900 (sec. 8, par. 2).

S. No. 3264
H. No. 7066

Republic of the Philippines
CONGRESS OF THE PHILIPPINES
Metro Manila

Fourteenth Congress
Third Regular Session

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

REPUBLIC ACT NO. 10068

AN ACT PROVIDING FOR THE DEVELOPMENT AND PROMOTION
OF ORGANIC AGRICULTURE IN THE PHILIPPINES AND
FOR OTHER PURPOSES

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

SECTION 1. *Title.* — This Act shall be known as the “Organic Agriculture Act of 2010”.

SEC. 2. *Declaration of Policy.* — It is hereby declared the policy of the State to promote, propagate, develop further and implement the practice of organic agriculture in the Philippines that will cumulatively condition and enrich the fertility of the soil, increase farm productivity, reduce pollution and destruction of the environment, prevent the depletion of natural resources, further protect the health of farmers, consumers and the general public, and save on imported farm inputs. Towards this end, a comprehensive program for the promotion of community-based organic agriculture systems which include, among others, farmer-produced purely organic fertilizers such as compost, pesticides and other farm inputs, together with a nationwide educational and promotional campaign

for their use and processing, as well as the adoption of organic agricultural system as a viable alternative shall be undertaken.

The State recognizes and supports the central role of the farmers, indigenous people and other stakeholders at the grassroots in this program.

SEC. 3. *Definition of Terms.* — For purposes of this Act, the following terms shall be defined as follows:

(a) *Organic* refers to the particular farming and processing systems, described in the standards and not in the classical chemical sense. The term “organic” is synonymous in other languages to “biological” or “ecological”. It is also a labeling term that denotes products considered organic based on the Philippine National Standards for organic agriculture.

(b) *Organic agriculture* includes all agricultural systems that promote the ecologically sound, socially acceptable, economically viable and technically feasible production of food and fibers. Organic agriculture dramatically reduces external inputs by refraining from the use of chemical fertilizers, pesticides and pharmaceuticals. It also covers areas such as, but not limited to, soil fertility management, varietal breeding and selection under chemical and pesticide-free conditions, the use of biotechnology and other cultural practices that are consistent with the principles and policies of this Act, and enhance productivity without destroying the soil and harming farmers, consumers and the environment as defined by the International Federation of Organic Agriculture Movement (IFOAM): *Provided*, That the biotechnology herein referred to shall not include genetically modified organisms or GMOs.

(c) *Organic production system* is a system designed to:

- (1) enhance biological diversity within the whole system;
- (2) increase solid biological activity;

(3) maintain long-term solid fertility;

(4) recycle wastes of plant and animal origin in order to return nutrients to the land, thus minimizing the use of nonrenewable resources;

(5) rely on renewable resources in locally organized agricultural systems;

(6) promote the healthy use of soil, water and air as well as minimize all forms of pollution thereto that may result from agricultural practices;

(7) develop and promote the use of biotechnology in agriculture;

(8) handle agricultural products with emphasis on careful processing methods in order to maintain the organic integrity and vital qualities of the product at all stages; and

(9) become established on any existing farm through a period of conversion, the appropriate length of which is determined by site-specific factors such as the history of the land, and type of crops and livestock to be produced.

(d) *Conversion period* refers to the time between the start of the organic management and the certification of crops, animal husbandry or aquaculture products as organic.

(e) *Biodegradable wastes* refer to organic matter for compost/organic fertilizer for the organic cultivation, farming of food crops and include discards segregated farm nonbiodegradable wastes coming from the kitchen/household (leftovers, vegetables and fruit peelings and trims, fish/fowl cleanings, seeds, bones, soft paper used as food wrap and the like), yard or garden (leaves, grasses, weeds and twigs), market (wilted, decayed or rotten vegetables and fruits, fish/fowl cleanings, bones) and farm wastes (grass clippings, dead or decayed plants, leaves, fruits, vegetables, branches, twigs and the like).

(f) *Ecologically-sound* refers to a state, quality or condition of a product, practice, system, development mode, culture, environment and the like, in accord with the 1987 Philippine Constitution, and as expounded in the above definition of organic agriculture.

(g) *Commercialization* is a process of introducing a new agricultural and fishery technology either as product, process or service that has undergone the intensive innovative activities of assessment, promotion and transfer for economic benefit.

(h) *Certification* is the procedure by which official certification bodies or officially recognized certification bodies provide written or equivalent assurance that foods or food control systems conform to requirements.

(i) *Accreditation* is the procedure by which a government agency having jurisdiction formally recognizes the competence of an inspection and/or certification body to provide inspection and certification services.

(j) *First party certification* is defined as when the certification criteria and rules are set and monitored/enforced by the producer or company itself.

(k) *Second party certification* is defined as when the certification criteria and rules are set by buyers or industry organizations.

(l) *Third party certification or independent certification* is defined as when a firm requires that its suppliers meet a certain standard and requests an independent organization that is not involved in the business relationship to control the compliance of the suppliers.

(m) *Organic food establishment* refers to an entity, whether local or foreign, that produces fresh or processed organic food.

(n) *Organic input establishment* refers to an entity, whether local or foreign, that produces inputs acceptable for organic agriculture.

SEC. 4. *Coverage*. — The provisions of this Act shall apply to the development and promotion of organic agriculture and shall include, but not limited to, the following:

(a) Policy formulation on regulation, registration, accreditation, certification and labeling on organic agriculture;

(b) Research, development and extension of appropriate, sustainable environment and gender-friendly organic agriculture;

(c) Promotion and encouragement of the establishment of facilities, equipment and processing plants that would accelerate the production and commercialization of organic fertilizers, pesticides, herbicides and other appropriate farm inputs; and

(d) Implementation of organic agricultural programs, projects and activities, including the provision and delivery of support services with focus on the farmers and other stakeholders.

SEC. 5. *National Organic Agricultural Program*. — There is hereby established a comprehensive organic agricultural program through the promotion and commercialization of organic farming practices, cultivation and adoption of production and processing methods which have already been developed, or to be developed, continuing research and upgrading thereof, the capacity building of farmers and the education of consumers thereon, the extension of assistance to local government units (LGUs), peoples' organizations (POs), nongovernment organizations (NGOs) and other stakeholders including individuals and groups who are practicing and promoting these methods as well as those who are willing to do other pertinent activities, and documentation and evaluation of the program.

SEC. 6. *National Organic Agricultural Board (NOAB)*. — To carry out the policy and the program provided in this Act, there is

hereby created a NOAB which shall be the policy-making body and shall provide direction and general guidelines for the implementation of the National Organic Agricultural Program. The NOAB shall be attached to the Department of Agriculture (DA).

The NOAB shall ensure the full participation of POs, NGOs and the general public through coordination and consultative mechanisms such as, but not limited to, public hearings, meetings and joint projects.

SEC. 7. Composition of the NOAB. — The NOAB shall consist of:

(a) The Secretary of Agriculture, or his duly authorized permanent representative, with a rank of Undersecretary, as Chairperson;

(b) The Secretary of the Interior and Local Government, or his duly authorized permanent representative, as Vice Chair;

(c) The Secretary of Science and Technology, or his duly authorized permanent representative;

(d) The Secretary of Environment and Natural Resources, or his duly authorized permanent representative;

(e) The Secretary of Education, or his duly authorized permanent representative;

(f) The Secretary of Agrarian Reform, or his duly authorized permanent representative;

(g) The Secretary of Trade and Industry, or his duly authorized permanent representative;

(h) The Secretary of Health, or his duly authorized permanent representative;

(i) Three (3) representatives from the small farmers; and

(j) A representative each from the NGOs involved in sustainable agriculture for at least three (3) years; agricultural colleges and universities; and private sector or agribusiness firms; as members.

The designated aforementioned representatives of the various departments shall be occupying positions not lower than a bureau director level and shall be on a coterminous basis.

The representatives of small farmers and NGOs, and of agricultural colleges and universities, shall be chosen by the Secretaries of Agriculture and Science and Technology, respectively, from among nominees submitted to the agency concerned by their respective national organizations. These representatives must be conversant in organic agriculture and committed to the policies and programs provided under this Act.

The existing National Organic Agriculture Board created pursuant to Executive Order No. 481 shall continue to function until the new NOAB created herein has been constituted pursuant to Section 8 hereof.

SEC. 8. *Organization of the NOAB.*— Within sixty (60) working days from the effectivity of this Act, the national organizations of small farmers, of NGOs and of agricultural colleges and universities shall submit their respective nominees to the Secretary of Agriculture and the Secretary of Science and Technology, as the case may be, who shall evaluate the qualifications of the nominees and appoint the most qualified members to the NOAB.

The Chairperson shall call the members of the NOAB, or a majority thereof if not all have been designated, to a meeting to organize themselves and prescribe its rules and procedures for the attainment of the objectives of this Act. A majority of all the members of the NOAB shall constitute a quorum.

The NOAB shall also determine its budget, including travel expenses, allowances and *per diems* of its nongovernment members when attending official NOAB meetings or attending to matters assigned to them subject to accounting and auditing rules and regulations.

SEC. 9. *Powers and Functions of the NOAB.* — The NOAB shall have the following powers and functions:

(a) Formulate policies, plans, programs and projects to develop and promote organic agriculture, production, processing and trade;

(b) Oversee the successful implementation of the National Organic Agricultural Program;

(c) Identify sources of financing to expand organic agriculture;

(d) Monitor and evaluate the performance of programs for appropriate incentives;

(e) Undertake measures for the international recognition of local certification of organic products;

(f) Call upon any government agency to carry out and implement programs and projects identified by the NOAB;

(g) Call upon private sectors, POs and NGOs and the academe to provide advice on matters pertaining to organic agriculture and conduct of capability-building initiatives to farmers, producers, extension workers, consumers and other stakeholders in agriculture sector in coordination with the Agricultural Training Institute;

(h) Submit annual and other periodic reports to the President, Secretary of the DA and Congress of the Philippines through the Congressional Oversight Committee on Agricultural and Fisheries Modernization (COCAFAM);

(i) Promulgate such rules and regulations and exercise such other powers and functions as may be necessary to carry out effectively the purposes and objectives of this Act; and

(j) Perform such other functions as may be necessary for its effective operations and for the continued enhancement, growth or development of organic agriculture.

SEC. 10. *The Bureau of Agriculture and Fisheries Product Standards (BAFPS) of the DA.* — The BAFPS of the DA shall be strengthened and empowered in terms of establishing functional divisions and incremental staffing to serve as the national technical and administrative secretariat of the NOAB with the member agencies providing additional staff support as the need arises.

SEC. 11. *Functions, Duties and Responsibilities of the BAFPS.* — The BAFPS, in addition to its existing functions and responsibilities shall perform the following functions, duties and responsibilities for purposes of this Act:

(a) Implement organic agriculture programs and projects approved by the NOAB;

(b) Update the NOAB on the status of the programs, projects and activities undertaken for the development and promotion of organic agriculture;

(c) Create effective networking with the various stakeholders involved in organic production; and

(d) Perform such other functions, duties and responsibilities as may be necessary to implement this Act and as directed by the NOAB.

SEC. 12. *Work Plan.* — In line with the National Organic Agricultural Program, the BAFPS shall submit to the Board for approval the following:

(a) A plan of bringing the program down to the grassroots, utilizing available personnel and facilities on the local level and those of LGUs;

(b) A pattern of cooperation and mutual assistance with LGUs, POs and NGOs, which will maximize people empowerment and participatory approaches to program formulation, implementation and monitoring; and

(c) A schedule of short-term, medium-term and long-term targets on research and development, marketing, trade promotion/initiatives, capacity building, among others.

SEC. 13. *Organic Agriculture and Protection of the Environment.* — The NOAB shall constantly devise and implement ways and means not only of producing organic fertilizers and other farm inputs and needs on and off the farm but also of helping to alleviate the problems of industrial waste and community garbage disposal through appropriate methods of sorting, collecting and composting. The BAFPS shall conduct continuing studies, with consultations among the people and officials involved as well as POs and NGOs, in order to advise local governments, from the barangay to the provincial level, on the collection and disposal of garbage and waste in such a way as to provide raw materials for the production of organic fertilizer and other farm inputs.

SEC. 14. *Local Executive Committees.* — Every provincial governor shall, insofar as practicable, form a provincial technical committee, and which shall, in coordination with and assistance of the BAFPS/DA-Regional Field Units (RFUs) implement activities in line with the National Organic Agricultural Program within each province.

Every municipal mayor shall likewise, insofar as practicable, form a municipal technical committee for purposes of implementing activities in line with the National Organic Agricultural Program within each municipality.

A local government unit that intends to shift its area of responsibility to organic agriculture must ensure that local industries have been adequately informed and consulted and that a viable plan to ensure supply for vulnerable industries is in place.

The governors shall monitor implementation of and compliance with this Act within their respective jurisdictions.

SEC. 15. *Accreditation of Organic Certifying Body.* — The BAFPS is hereby designated and authorized to grant official accreditation to organic certifying body or entity. The BAFPS is tasked to formulate the necessary rules and procedures in the accreditation of organic certifying body: *Provided*, That there shall be at least one (1) accredited organic certifying body each in Luzon, Visayas and Mindanao or in case of only one (1) organic certifying body is accredited, it shall have at least one (1) satellite office or processing unit each in Luzon, Visayas and Mindanao.

SEC. 16. *Registration of Organic Food and Organic Input Producers.* — All organic food and input establishments must register with the director, BAFPS, registration under this section shall begin within ninety (90) days of the enactment of this Act. Each such registration shall be submitted to the director through an electronic portal and shall contain such information as the director by guidance may determine to be appropriate. Such registration shall contain the following information:

(a) The name, address and emergency contact information of each organic food or input establishment that the registrant owns or operates;

(b) The primary purpose and business activity of each organic food or input establishment, including the dates of operation if the organic food establishment is seasonal;

(c) A list of the organic food or input produced and corresponding brand names;

(d) For organic food establishment, the name, address and contact information of the organic food certifying body that certified the organic products sold by the company;

(e) An assurance that the registrant will notify the director of any change in the products, function or legal status of the domestic food establishment (including cessation of business activities) not later than thirty (30) days after such change; and

(f) For organic input producers, a list of materials used in the production of each particular input.

SEC. 17. *Labeling of Organic Produce.* — The label of organic produce shall contain the name, logo or seal of the organic certifying body and the accreditation number issued by the BAFPS. Only third party certification is allowed to be labeled as organically produced.

SEC. 18. *Retailing of Organic Produce.* — Retail establishments or stores of organic produce shall designate a separate area to display the organic produce to avoid mixing it with non-organic produce.

SEC. 19. *Availability of Trading Post for Organic Inputs.* — Local chief executives shall establish, as far as practicable, at least one (1) trading post for organic inputs for every LGU in their area of jurisdiction.

SEC. 20. *Research, Development and Extension.* — The Bureau of Agricultural Research (BAR), as the lead agency, shall coordinate with the other agencies of the DA, the Department of Agrarian Reform (DAR), the Department of Science and Technology (DOST), the Department of Education (DepED), the Department of the Interior and Local Government (DILG), the strategic agricultural-based state universities and colleges (SUCs) including private organizations, to develop, enhance, support and consolidate activities and related technologies for the formulation and implementation of a unified and integrated organic agriculture RDE plans and programs from the national to the field level. The

organic agriculture RDE plans and programs shall include, but not be limited to, the following:

(a) Research, development and commercialization of appropriate, innovative and viable organic agricultural technologies;

(b) Nationwide promotion of developed and commercially viable biodegradable farm wastes and by-products through various extension strategies to accelerate the production, use and distribution of organic fertilizers; and

(c) Conduct research for market development, policy formulation, regulation and certification.

SEC. 21. *Creation of Organic Agriculture RDE Network.* — An organic agriculture RDE network shall be organized by the BAR, composed of research and educational institutions, LGUs, nongovernment agencies and the recognized association of organic fertilizer manufacturers and distributors, agricultural engineers, agriculturists, soil technologists, farmers group and/or associations.

SEC. 22. *RDE Centers.* — National, regional and provincial organic R&D and extension centers shall be organized, established and integrated as a major component of the existing RDE centers of the DA, the DOST, the DENR, SUCs and the LGUs. These will be strengthened and enhanced to spearhead the integrated program to develop and promote organic agriculture throughout the country.

SEC. 23. *Organic Agriculture in the Formal and Non-formal Sectors.* — The National Government, through the DepED and in coordination with concerned government agencies, NGOs and private institutions, shall strengthen the integration of organic agriculture concerns in school curricula at all levels.

SEC. 24. *Incentives.* — The government shall extend incentives for the production and propagation of organic farm inputs by maximizing their use in all government and government-supported agricultural production, research and demonstration programs.

Incentives shall also be provided to farmers whose farms have been duly certified as compliant to the Philippine National Standard (PNS). Further, the DA may give cash reward in recognition of the best organic farm in the country. The DA, the DAR, the DOST, the DILG, the Department of Trade and Industry (DTI), the DepED, the Department of Finance (DOF), the Land Bank of the Philippines (LBP), and other government lending and non-lending institutions shall also assist organic input producers and organic farmers through the provision of adequate financial, technical, marketing, and other services and resources. These include, but shall not be limited to, the following:

(a) Exemption from the payment of duties on the importation of agricultural equipment, machinery and implements as provided under Republic Act No. 9281, which amends Republic Act No. 8435 or the Agriculture and Fisheries Modernization Act (AFMA) ;

(b) Identification by LGUs of local taxes that may be offered as incentives to organic input production and utilization;

(c) Provision of preferential rates and special window to organic input producers and users by the LBP;

(d) Subsidies for certification fees and other support services to facilitate organic certification;

(e) Zero-rated value-added tax (VAT) on transactions involving the sale/purchase of bio-organic products, whether organic inputs or organic produce; and

(f) Income tax holiday and exemption for seven (7) years, starting from the date of registration of organic food and organic input producers on all income taxes levied by the National Government.

The tax incentives shall be given only to purely organic agriculture entities/farmers and shall be subject to the accreditation of the BAFPS and periodic reporting by the BAFPS to the DOF:

Provided, That the said incentives shall be available only to micro, small and medium enterprises as defined under Section 3 of Republic Act No. 9501 or the Magna Carta for Micro, Small and Medium Enterprises.

SEC. 25. *Appropriations*. — The sum of Fifty million pesos (Php50,000,000.00) and the existing budget for the promotion of organic farming of the DA is hereby appropriated for the initial year of implementation of this Act. Thereafter, such amount as may be necessary for the continuous operation of the NOAB and the implementation of the program shall be included in the annual General Appropriations Act (GAA).

The NOAB is hereby authorized to solicit and accept assistance or facilities in the form of grants from individuals and entities here and abroad, and to utilize these funds and resources for purposes of this Act, subject to the usual budget, accounting and auditing rules and regulations.

SEC. 26. *Penal Provision*. — Any person who willfully and deliberately:

(a) obstructs the development or propagation of organic agriculture, or the manufacture, production, sale or use of organic agricultural inputs;

(b) refuses without just cause to extend the support and assistance required under this Act; and

(c) mislabels or claims that the product is organic when it is not in accordance with the existing standards for Philippine organic agriculture or this Act shall, upon conviction, be punished by imprisonment of not less than one (1) month nor more than six (6) months, or a fine of not more than Fifty thousand pesos (P50,000.00), or both, at the discretion of the court. If the offender is a corporation or a juridical entity, the official who ordered or allowed the commission of the offense shall be punished with the

same penalty. If the offender is in the government service, he shall, in addition, be dismissed from office.

SEC. 27. *Implementing Rules and Regulations.* — The NOAB shall adopt rules and regulations to implement the provisions of this Act within ninety (90) days from the effectivity of this Act and submit the same to the COCAFm for review and approval. In the drafting of the implementing rules and regulations, the DOF shall be consulted in connection with the tax incentives provided under Section 24 hereof.

SEC. 28. *Annual Report.* — The NOAB shall render an annual report to both Houses of Congress on the accomplishment of the program. A review on the viability of the program shall be made by the concerned agencies after three (3) years of its implementation.

SEC. 29. *Congressional Oversight Committee.* — The COCAFm shall be the congressional oversight committee for purposes of this Act. The COCAFm shall review and approve the implementing rules and regulations of this Act and also perform the following functions:

- (a) Monitor and ensure the proper implementation of this Act;
- (b) Review the proper implementation of the programs on organic agriculture and the use of its funds;
- (c) Review the performance of the NOAB; and
- (d) Such other functions it deems necessary.

SEC. 30. *Separability Clause.* — If any provision of this Act is declared invalid or unconstitutional, the other provisions not affected thereby shall remain in full force and effect.

SEC. 31. *Repealing Clause.* — All laws, presidential decrees, executive orders, presidential proclamations, rules and regulations or parts thereof contrary to or inconsistent with this Act are hereby repealed or modified accordingly.

SEC. 32. *Effectivity.* — This Act shall take effect fifteen (15) days following its publication in at least two (2) newspapers of general circulation or in the *Official Gazette*, whichever comes first.

Approved,

(Sgd.) PROSPERO C. NOGRALES (Sgd.) JUAN PONCE ENRILE
Speaker of the House *President of the Senate*
of Representatives

This Act, which is a consolidation of Senate Bill No. 3264 and House Bill No. 7066 was finally passed by the Senate and the House of Representatives on February 1, 2010.

(Sgd.) MARILYN B. BARUA-YAP (Sgd.) EMMA LIRIO-REYES
Secretary General *Secretary of the Senate*
House of Representatives

Approved: APR 06 2010

(Sgd.) GLORIA MACAPAGAL-ARROYO
President of the Philippines

S. No. 3146
H. No. 4330

Republic of the Philippines
CONGRESS OF THE PHILIPPINES
Metro Manila

Fifteenth Congress
Second Regular Session

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

REPUBLIC ACT NO. 10176

AN ACT REVIVING THE OBSERVANCE OF ARBOR DAY BY
AUTHORIZING THE LOCAL GOVERNMENT UNITS THE
RESPONSIBILITIES FOR CELEBRATING THE DAY FOR
TREE PLANTING AS AN ANNUAL EVENT

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

SECTION 1. *Short Title.* – This Act shall be known as the
“Arbor Day Act of 2012”.

SEC. 2. *Declaration of Policy.* – It is hereby declared the
policy of the State to protect and advance the right of the people
to a balanced and healthful ecology in accord with the rhythm and
harmony of nature. Towards this end, the vital role and importance
of trees in ecological stability is recognized. Hence, there is a need for
a collaborated effort between the State and its citizenry to combat
the loss of our natural resources and rejuvenate our environment
by undertaking nationwide tree planting activities and providing
effective measures for their maintenance and sustainability.

It is hereby mandated that all provinces, cities and
municipalities with their component barangays shall be required

to revive, by appropriate proclamation of their respective local chief executives, an Arbor Day at an appropriate fixed date every calendar year as shall be deemed suitable according to the proper time and season for planting trees in the respective provinces and their respective component municipalities or cities concerned. Although adoption of uniform dates for every province and its component municipalities and cities shall be encouraged, varying dates for Arbor Day celebrations may be permitted in order to afford flexibility in planning and in implementing tree planting programs to adjust to the proper time and period of the year most suited to the trees selected to be planted, and as local budgetary allotments shall allow.

SEC. 3. *Creation of Arbor Day Committee.* – In implementing the intents of this Act, there shall be created in every province, city and municipality in the country an Arbor Day Celebration Committee the composition of which shall be selected by the concerned local chief executive. The members shall preferably, composed of field officers of various government agencies, based in the locality, but not limited to the following:

- (a) Local sanggunian;
- (b) Local Environment and Natural Resources Office;
- (c) Department of Environment and Natural Resources (DENR);
- (d) Bureau of Plant Industry (BPI);
- (e) Department of Education (DepED);
- (f) Department of the Interior and Local Government (DILG);
- (g) Commission on Higher Education (CHED);
- (h) Department of Agriculture (DA);

- (i) Department of Agrarian Reform (DAR);
- (j) Department of Public Works and Highways (DPWH);
- (k) Department of Tourism (DOT);
- (l) Philippine National Police (PNP);
- (m) Armed Forces of the Philippines (AFP);
- (n) Philippine Coconut Authority (PCA);
- (o) Civic organizations;
- (p) Sangguniang Kabataan (SK);
- (q) Liga ng mga Barangay (LnB); and
- (r) Media associations.

SEC. 4. *Proclamation of Arbor Day.* – All provinces, cities and municipalities with their component barangays shall be required to declare an Arbor Day or Tree Planting Day, by appropriate proclamation of their respective local chief executive through an ordinance passed by the respective local sanggunian, at a fixed date every calendar year as shall be deemed conducive to the proper time and season for planting trees in the respective localities. Although adoption of uniform dates for its celebration shall be encouraged, varying dates may be allowed in order to afford flexibility in the planning and implementing of the programs for tree planting: *Provided,* That the Arbor Day designated shall be declared as a public working holiday in order to ensure the participation of the different sectors of society and such declaration may be embodied in the proclamation that local chief executives are authorized to do under this Act.

SEC. 5. *Funding.* – The local sanggunian shall provide for the allocation of resources pertinent to the implementation of this Act at their respective local government level.

SEC. 6. *Information and Monitoring.* – For information and monitoring purposes, all local government units (LGUs) shall submit to the DILG the actual date of the Arbor Day Celebration in their respective locality.

SEC. 7. *Supply and Distribution of Seedlings.* – The BPI, in coordination with the PCA, shall supply and distribute the seedlings to the LGUs for the Tree Planting Program.

SEC. 8. *Planting of Trees.* – All able-bodied citizens of the Philippines, who are at least twelve (12) years of age, shall be required to plant one (1) tree every year.

SEC. 9. *Areas Covered by Tree Planting.* – The local Arbor Day Celebrations Committee shall specify the area within the LGU to be planted or reforested. If the area to be planted or reforested is a protected area or a protection forest, the Committee shall encourage the use of endemic or indigenous species during the observance of the Arbor Day designated by the LGU.

The tree planting activities shall be done in any of the following areas:

(a) Public school grounds, gardens or other available areas within the school premises;

(b) Idle or vacant public lands;

(c) Public parks in urban and rural areas; and

(d) Private schools, parks and lands with the consent of the owner thereof.

SEC. 10. *Maintenance of Trees.* – The barangay officials and deputized nongovernmental organizations shall be responsible for the maintenance of such trees.

SEC. 11. *Implementing Rules and Regulations.* – The DILG, in coordination with the LGUs, the DENR and the DA shall promulgate the rules and regulations to effectively implement the provisions of this Act.

SEC. 12. *Separability Clause.* – If any provision of this Act or any part thereof be declared invalid or unconstitutional, the remaining provisions not affected thereby shall continue in full force and effect.

SEC. 13. *Repealing Clause.* – All laws, presidential decrees, proclamations, executive orders or regulations and other issuances inconsistent with the provisions and/or purposes of this Act are hereby repealed, amended or modified accordingly.

SEC. 14. *Effectivity.* – This Act shall take effect after fifteen (15) days following its publication in the *Official Gazette* or in at least two (2) newspapers of general circulation.

Approved,

(Sgd.) FELICIANO BELMONTE JR. (Sgd.) JUAN PONCE ENRILE
Speaker of the House *President of the Senate*
of Representatives

This Act, which is a consolidation of Senate Bill No. 3146 and House Bill No. 4330 was finally passed by the Senate and the House of Representatives on May 30, 2012 and June 5, 2012, respectively.

(Sgd.) MARILYN B. BARUA-YAP (Sgd.) EMMA LIRIO-REYES
Secretary General *Secretary of the Senate*
House of Representatives

Approved: SEP 12 2012

(Sgd.) BENIGNO S. AQUINO III
President of the Philippines

H. No. 5360
S. No. 3282

Republic of the Philippines
CONGRESS OF THE PHILIPPINES
Metro Manila

Fifteenth Congress
Third Regular Session

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

REPUBLIC ACT NO. 10574

AN ACT ALLOWING THE INFUSION OF FOREIGN EQUITY IN THE CAPITAL OF RURAL BANKS, AMENDING REPUBLIC ACT NO. 7353, OTHERWISE KNOWN AS “THE RURAL BANK ACT OF 1992”, AS AMENDED, AND FOR OTHER PURPOSES

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

SECTION 1. Section 4 of Republic Act No. 7353, as amended, is hereby amended to read as follows:

“SEC. 4. No rural bank shall be operated without a Certificate of Authority from the Monetary Board of the Bangko Sentral ng Pilipinas. Rural banks shall be organized in the form of stock corporations. No less than forty percent (40%) of the voting stocks of a rural bank shall be owned by citizens of the Philippines or corporations or associations organized under the laws of the Philippines at least sixty percent (60%) of whose capital is owned by such citizens. Non-Filipino citizens may own, acquire or purchase up to sixty percent (60%) of the voting stocks in a rural bank. The percentage of foreign-owned voting stocks shall be determined

by the citizenship of the individual or corporate stockholders of the rural bank. Upon consultation with the rural banks in the area, duly established cooperatives and corporations primarily organized to hold equities in rural banks may organize a rural bank and/or subscribe to the shares of stock of any rural bank: *Provided*, That a cooperative or corporation owning or controlling the whole or majority of the voting stock of the rural bank shall be subject to special examination and to such rules and regulations as the Monetary Board may prescribe. If subscription of private shareholders to the capital stock of a rural bank cannot be secured or is not available, or insufficient to meet the normal credit needs of the locality, the Land Bank of the Philippines, the Development Bank of the Philippines, or any government-owned or -controlled bank or financial institution, on representation of the said private shareholders but subject to the investment guidelines, policies and procedures of the bank or financial institution and upon approval of the Monetary Board of the Bangko Sentral ng Pilipinas, shall subscribe to the capital stock of such rural bank, which shall be paid in full at the time of subscription, in an amount equal to the fully paid subscribed and unimpaired capital of the private stockholders or such amount as the Monetary Board may prescribe as may be necessary to promote and expand rural economic development: *Provided, however*, That such shares of stock subscribed by the Land Bank of the Philippines, the Development Bank of the Philippines or any government-owned or -controlled bank or financial institution may be sold at any time at adjusted book value: *Provided, finally*, That in the sale of shares of stock subscribed by the Land Bank of the Philippines, the Development Bank of the Philippines or any government-owned or -controlled bank or financial institution, the registered stockholders shall have the right of preemption within one (1) year from the date of offer in proportion to their respective holdings, but in the absence of such buyer, preference, however, shall be given to residents of the locality or province where the rural bank is located.”

SEC. 2. Section 5 of Republic Act No. 7353, as amended, is hereby amended to read as follows:

“SEC. 5. Non-Filipino citizens may become members of the Board of Directors of a rural bank but their participation in the Board shall be limited to their proportionate share in the equity of the rural bank: *Provided, however,* That at least one (1) independent director shall be elected to the Board of Directors.

“No director or officer of any rural bank shall, either directly or indirectly, for himself or as the representative or agent of another, borrow any of the deposits or funds of such banks, nor shall he become a guarantor, indorser, or surety for loans from such bank to others, or in any manner be an obligor for money borrowed from the bank or loaned by it except with the written approval of the majority of the directors of the bank, excluding the director concerned. Any such approval shall be entered upon the records of the corporation and a copy of such entry shall be transmitted forthwith to the appropriate supervising department. The director/officer of the bank who violates the provisions of this section shall be immediately dismissed from his office and shall be penalized in accordance with Section 26 of this Act.

“The Monetary Board may regulate the amount of credit accommodations that may be extended directly to the directors, officers or stockholders of rural banks of banking institutions. However, the outstanding credit accommodations which a rural bank may extend to each of its stockholders owning two percent (2%) or more of the subscribed capital stock, its directors, or officers shall be limited to an amount equivalent to the respective outstanding deposits and book value of the paid-in capital contributions in the bank.”

SEC. 3. Section 6 of Republic Act No. 7353 is hereby amended to read as follows:

“SEC. 6. Loans or advances extended by rural banks organized and operated under this Act shall be primarily for the purpose of meeting the normal credit needs of farmers, fishermen or farm families owning or cultivating land dedicated to agricultural production as well as the normal credit needs of cooperatives and merchants.

“Loans may be granted by rural banks on the security of lands without Torrens Title where the owner of private property can show five (5) years or more of peaceful, continuous and uninterrupted possession in concept of owner; or of portions of friar land estates or other lands administered by the Bureau of Lands that are covered by sales contracts and the purchasers have paid at least five (5) years installment thereon, without the necessity of prior approval and consent by the Director of Lands; or of portions of other estates under the administration of the Department of Agrarian Reform or other governmental agency which are likewise covered by sales contracts and the purchasers have paid at least five (5) years installment thereon, without the necessity of prior approval and consent of the Department of Agrarian Reform or corresponding governmental agency; or of homesteads or free patent lands pending the issuance of titles but already approved, the provisions of any law or regulations to the contrary notwithstanding: *Provided*, That when the corresponding titles are issued, the same shall be delivered to the Register of Deeds of the province where such lands are situated for the annotation of the encumbrance: *Provided, further*, That in the case of lands pending homestead or free patent titles, copies of notices for the presentation of the final proof shall also be furnished the creditor rural bank and, if the borrower applicants fail to present the final proof within thirty (30) days from date of notice, the creditor rural bank may do so for them at their expense: *Provided, furthermore*, That the applicant for homestead or free patent has already made improvements on the land and the loan applied for is to be used for further development of the same or for other productive economic activities: *Provided, finally*, That the

appraisal and verification of the status of a land is a full responsibility of the rural bank and any loan granted on any land which shall be found later to be within the forest zone shall be for the sole account of the rural bank.

“The foreclosure of mortgages covering loans granted by rural banks and executions of judgment thereon involving real properties levied upon by a sheriff shall be exempt from the publications in newspapers now required by law where the total amount of loan, excluding interest due and unpaid, does not exceed One hundred thousand pesos (P100,000) or such amount as the Monetary Board may prescribe as may be warranted by prevailing economic conditions. It shall be sufficient publication in such cases if the notices of foreclosure and execution of judgment are posted in the most conspicuous area of the municipal building, the municipal public market, the rural bank, the barangay hall, and the barangay public market, if any, where the land mortgaged is situated during the period of sixty (60) days immediately preceding the public auction or execution of judgment. Proof of publication as required herein shall be accomplished by an affidavit of the sheriff or officer conducting the foreclosure sale or execution of judgment and shall be attached with the records of the case: *Provided*, That when a homestead or free patent is foreclosed, the homesteader or free patent holder, as well as his heirs shall have the right to redeem the same within one (1) year from the date of foreclosure in the case of land not covered by a Torrens Title or one (1) year from the date of the registration of the foreclosure in the case of land covered by a Torrens Title: *Provided, finally*, That in any case, borrowers, especially those who are mere tenants, need only to secure their loans with the produce corresponding to their share.

“A rural bank shall be allowed to foreclose lands mortgaged to it including lands covered by Republic Act No. 6657 (Comprehensive Agrarian Reform Law of 1988), as amended: *Provided*, That said lands shall be subject to the retention limits provided under Republic Act No. 6657.

“Rural banks which are not qualified to acquire or hold land in the Philippines shall be allowed to bid and take part in foreclosure sales of real property mortgaged to them, as well as to avail of enforcement and other proceedings, and accordingly to take possession of the mortgaged property, for a period not exceeding five (5)-years from actual possession: *Provided*, That in no event shall title to the property be transferred to such rural bank. In case the rural bank is the winning bidder, it shall, during the said five (5)-year period, transfer its rights to a qualified Philippine national, without prejudice to a borrower’s rights under applicable laws. Should a rural bank be not able to transfer such property within the five (5)-year period, the rural bank shall be penalized one-half (1/2) of one percent (1%) *per annum* of the price at which the property was foreclosed until the rural bank is able to transfer the property to a qualified Philippine national.”

SEC. 4. Section 8 of Republic Act No. 7353 is hereby amended to read as follows:

“To provide supplemental capital to any rural bank until it has accumulated enough capital of its own or stimulate private investments in rural banks, the Land Bank of the Philippines, the Development Bank of the Philippines or any government-owned or -controlled bank or financial institution shall subscribe within thirty (30) days to the capital stock of any rural bank from time to time in an amount equal to the total equity investment of the private shareholders which shall be paid in full at the time of the subscription or such amount as may be necessary to promote and expand rural economic development: *Provided, however*, That shares of stock issued to the Land Bank of the Philippines, the Development Bank of the Philippines or any government-owned or -controlled bank or financial institution, may, pursuant to this section, at any time, be bought at adjusted book value.

“Stocks held by the Land Bank of the Philippines, the Development Bank of the Philippines or by any government-

owned or -controlled bank or financial institution, under the terms of this section, shall be made preferred only as to assets upon liquidation and without the power to vote and shall share in dividend distributions from the date of issuance in an amount based on the lending benchmark approved by the Bangko Sentral ng Pilipinas plus the prevailing non-prime spread of the government financial institution: *Provided, however*, That if such stock of the Land Bank of the Philippines, the Development Bank of the Philippines or any government-owned or -controlled bank or financial institution is sold to private shareholders, the same may be converted into common stock of the class provided for in Section 10 hereof: *Provided, further*, That pending the amendment of the Articles of Incorporation of the rural bank, if necessary, for the purpose of reflecting the conversion into common stock of preferred stock sold to private shareholders, the transfer shall be recorded by the rural bank in the stock and transfer book and such shareholders shall thereafter enjoy all the rights and privileges of common stockholders. The preferred stocks so transferred shall be surrendered and cancelled and the corresponding common stocks shall be issued.

“x x x.”

SEC. 5. The Bangko Sentral ng Pilipinas, consistent with Section 11 of Republic Act No. 7353, shall prescribe the necessary rules and regulations on the amendments of the Rural Banks Act of 1992 in consultation with various stakeholders as well as disseminate this information to allow entry of foreign equity into our rural bank system to revitalize the rural banking industry and improve access of banking services to the rural areas in the country.

The implementing rules and regulations shall be published within ninety (90) days from the publication of this Act in two (2) newspapers of general circulation in the Philippines.

SEC. 6. Separability Clause. – If, for any reason, any provision of this Act is declared invalid or unconstitutional, the remaining

provisions not affected thereby shall continue to be in force and effect.

SEC. 7. Repealing Clause. – All laws, decrees, executive orders, proclamations, rules and regulations, and other issuances, or parts thereof, which are inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SEC. 8. Effectivity Clause. – 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, whichever is earlier.

Approved,

(Sgd.) JUAN PONCE ENRILE
President of the Senate

(Sgd.) FELICIANO BELMONTE JR.
*Speaker of the House
of Representatives*

This Act, which is a consolidation of House Bill No. 5360 and Senate Bill No. 3282 was finally passed by the House of Representatives and the Senate on February 4, 2013 and January 30, 2013, respectively.

(Sgd.) EDWIN B. BELEN
Acting Senate Secretary

(Sgd.) MARILYN B. BARUA-YAP
*Secretary General
House of Representatives*

Approved: MAY 24 2013

(Sgd.) BENIGNO S. AQUINO III
President of the Philippines

S. No. 3338
H. No. 6548

Republic of the Philippines
CONGRESS OF THE PHILIPPINES
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Begun and held in Metro Manila, on Monday, the twenty-third day
of July, two thousand twelve.

REPUBLIC ACT NO. 10601

AN ACT PROMOTING AGRICULTURAL AND FISHERIES
MECHANIZATION DEVELOPMENT IN THE COUNTRY

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

SECTION 1. *Title.* – This Act shall be known as the
“Agricultural and Fisheries Mechanization (AFMech) Law”.

ARTICLE I

DECLARATION OF POLICY, DEFINITION OF TERMS
AND COVERAGE

SEC. 2. *Declaration of Policy.* – It shall be the policy of the
State to:

(a) Promote the development and adoption of modern,
appropriate and cost-effective and environmentally-safe
agricultural and fisheries machinery and equipment to enhance
farm productivity and efficiency in order to achieve food security
and safety and increase farmers’ income;

(b) Provide a conducive environment to the local assembling and manufacturing of engines, machinery and equipment for agricultural and fisheries production, processing and marketing;

(c) Ensure the quality and safety of machineries and equipment locally manufactured or imported by strengthening regulation through the development and enforcement of machinery and machine performance standards, regular testing and evaluation, registration, and the accreditation and classification of suppliers, assemblers and manufacturers to ensure compliance to prescribed quality standards;

(d) Strengthen support services such as credit faculties, research, training and extension programs, rural infrastructures, postharvest facilities and marketing services;

(e) Unify, rationalize and strengthen the implementation, coordination of activities and mechanisms on agricultural and fisheries mechanization programs and projects; and

(f) Deliver integrated support services to farmers, fisherfolk and other stakeholders, and assist them to be able to viably operate and manage their agricultural and fisheries mechanization projects.

SEC. 3. *Definition of Terms.* – The following terms are defined, as follows:

(a) *Agricultural and fisheries machinery* refers to machinery and equipment for the production, harvesting, processing, storage, manufacture, preserving, transporting and distribution of agricultural and fisheries products. It includes, but is not limited to, tractors and their attachments, power tillers, seeders, transplanters, windmills, harvesting machines, crop protection and maintenance equipment, irrigation equipment and accessories, greenhouses and other thermal conditioning equipment, livestock equipment, fishery equipment, slaughtering equipment, meat/fishery and crop processing equipment, postharvest machines such as milling machines, dryers, threshers, grain and other strippers, agricultural

transport machinery and storage facilities including cold storage, reefer vans, slaughter houses and fishing boats of three (3) gross tons or less. New agricultural and fishery machinery includes newly imported as well as one that has not been used since its date of manufacture;

(b) *Agricultural and fisheries mechanization* refers to the development, adoption, assembly, manufacture and application of appropriate, location specific and cost-effective agricultural and fisheries machinery using human, animal, mechanical, electrical, renewable and other nonconventional sources of energy for agricultural production and postharvest/postproduction operations consistent with agronomic conditions and for efficient and economic farm and fishery management towards modernization of agriculture and fisheries;

(c) *Agro-industrial processing* refers to the local activity or series of activities to maintain or raise the quality or change the form or characteristics of agricultural, fisheries and forestry products. It also includes, but not limited to, cleaning, sorting, grading, mixing, milling, canning, dressing, slaughtering, freezing, pasteurizing, conditioning, packaging, repacking and transporting of said products; and

(d) *Fishing boat* refers to any boat, ship or other watercraft of three (3) gross tons or less, equipped to be used for taking of fishery species or aiding or assisting one (1) or more vessels in the performance of any activity relating to fishing including, but not limited to, preservation, supply, storage, refrigeration, transportation and/or processing.

SEC. 4. *Scope and Application.* – The provision of this Act shall apply to the research, development and extension, promotion, distribution, supply, assembling, manufacturing, regulation, use, operation, maintenance and project implementation of agricultural and fisheries machinery and equipment.

ARTICLE II

THE NATIONAL AGRI-FISHERY MECHANIZATION PROGRAM

SEC. 5. *The National Agri-fishery Mechanization Program.* – There shall be formulated a National Agri-fishery Mechanization Program by the Department of Agriculture (DA) with the following objectives:

(a) Promote and support through the provision of research grants, credit, transparent and predictable regulation, the local development and manufacture of agricultural and fisheries machinery by the private sector;

(b) Unify, lead and support the efforts of various institutions in the research, design and development of agricultural and fisheries machinery;

(c) Establish quality, safety and performance standards for agricultural and fisheries machinery;

(d) Support the establishment of quality, safety and performance testing centers for the certification of agricultural and fisheries machinery in strategic localities in the country;

(e) Establish guidelines for the registration of ownership of agricultural and fisheries machinery; and

(f) Promote the adoption of certified agricultural and fisheries machinery for improving agriculture and fishery productivity.

SEC. 6. *Program Implementation.* – The overall implementation of the National Agri-fishery Mechanization Program shall be coordinated by the DA through the Undersecretary duly designated by the Secretary who shall:

(a) Conduct the formulation and review of the five-year National Agri-fishery Mechanization Program for the DA;

(b) Provide leadership in the formulation of guidelines for the registration of ownership of agricultural and fisheries machinery;

(c) Ensure the formulation of quality, safety and performance standards for agricultural and fisheries machinery;

(d) Ensure the formulation of accreditation guidelines for testing centers for agricultural and fisheries machinery;

(e) Formulate and enforce guidelines for the credit program to include, but not limited to, access, disbursement and repayment;

(f) Oversee the implementation of the National Agri-fishery Mechanization Program by the various units of the Department; and

(g) Coordinate with other government agencies and local government units (LGUs) in the implementation of measures provided for in this Act.

ARTICLE III

RESEARCH, EXTENSION AND HUMAN RESOURCE DEVELOPMENT

SEC. 7. Unified National Research and Development (R&D) and Extension Agenda. – A unified National Agricultural and Fisheries Mechanization Research and Development and Extension (RDE) Agenda shall be formulated and implemented by the DA: *Provided, That* the DA, through the Philippine Center for Postharvest Development and Mechanization (PHilMech) as focal agency, shall integrate and unify all agricultural and fisheries mechanization RDE programs and projects of all concerned national government agencies, Local Government Units (LGUs), state universities and colleges (SUCs), which shall be geared towards development of machineries and equipment, job generation, address market and industry demands and help accelerate agricultural and fisheries modernization in the countryside.

The National Agricultural and Fisheries Mechanization RDE Agenda shall include, but not be limited, to the following:

(a) Development, pilot-testing and commercialization of appropriate, location-specific and cost-effective agricultural and fisheries machinery and equipment in support to contiguous farming and machinery pooling;

(b) Design and testing of new machineries and equipment for agriculture and fisheries;

(c) Local manufacture and assembly of agricultural engines and equipment;

(d) Development and utilization of renewable and nonconventional energy resources such as wind, biomass, hydro, solar and biofuels for agricultural and fisheries equipment and machineries;

(e) Development of efficient production and postproduction mechanization systems;

(f) Continuous development of technical standards and testing procedures for quality agricultural machinery and components;

(g) Training of farmers, fisherfolk, manufacturers, extension workers, agricultural engineers, technicians and operators engaged in the agricultural and fisheries mechanization;

(h) Promotion of technologies through agricultural and industrial extension activities and techno-demo centers;

(i) Development of prototype and fabrication of agricultural machinery and equipment; and

(j) Development and conduct of commercialization strategies involving all sectors representing the demand and supply sides of agricultural and fisheries mechanization technologies.

SEC. 8. *Agri-fisheries Mechanization RDE Network.* – An Agricultural and Fisheries Mechanization RDE Network is hereby organized and composed of research and educational institutions, LGUs, nongovernment organizations and the recognized and well-established associations of agricultural and fisheries machinery assemblers, manufacturers and distributors, agricultural engineers, farmers and fisherfolk. The Agricultural and Fisheries Mechanization RDE Network shall be responsible for the formulation and implementation of the National Agricultural and Fisheries Mechanization RDE Agenda. The PHilMech shall be responsible for organizing the Network and shall serve as secretariat to the Network. The Network shall be chaired by the Director of the PHilMech.

Moreover, the Agricultural Mechanization Development Program of the University of the Philippines, Los Baños (UPLB), which is part of the Network, shall be strengthened and institutionalized to lead and coordinate the agricultural and fishery mechanization RDE program of all academic institutions in the country.

SEC. 9. *Agri-fisheries Machinery and Equipment Service Centers.* – The DA and the LGUs shall encourage and support the private sector and other rural entrepreneurs to establish and operate agricultural and fishery machinery and equipment service centers in the Strategic Agricultural and Fishery Development Zones (SAFDZs) and Agrarian Reform Communities.

The Agri-fisheries Machinery and Equipment Service Center's shall be operated as business enterprises that will provide the following services:

- (a) After-sales service and warranty to their respective clients;
- (b) Custom plowing, harrowing, harvesting, drying, milling and other farm mechanization services;

(c) Repair and troubleshooting services of agricultural and fishery machinery and equipment; and

(d) Training of maintenance and proper use of agricultural machineries and equipment.

The ownership and operation of Agri-fisheries Machinery and Equipment Service Centers shall not be the exclusive domain of equipment and machineries suppliers. These may be owned and operated by registered cooperatives or by businesses registered with the Securities and Exchange Commission (SEC) or with the Department of Trade and Industry (DTI).

SEC. 10. *Agri-fisheries Mechanization and Engineering Resource Network.* – The existing agricultural machinery information and database of the PHilMech shall be strengthened into an agri-fishery mechanization and engineering resource network. It will also be used or tapped as a facility for the online registration of agri-fisheries machinery and equipment, and monitoring of agri-fisheries mechanization and infrastructure projects. This network shall be linked to other existing information and database networks of the DA, the Agricultural Machinery Information Network of the Department of Science and Technology (DOST), the Agricultural Mechanization Development Program of the UPLB and of other government agencies.

SEC. 11. *Research Grants.* – To enhance research and technological development on agricultural and fisheries mechanization, the government through the Bureau of Agricultural Research (BAR) of the DA, the DOST and the Commission on Higher Education (CHED) shall provide competitive research grants to members of the Network to undertake needs-oriented research as well as institutional development and upgrading of laboratory facilities and equipment.

SEC. 12. *Training and Scholarship Program.* – The DA, in partnership with SUCs and the private sector, shall train the agricultural extension workers and agricultural engineers of

the LGUs who in turn shall train the farmers and fisherfolk on agricultural and fisheries mechanization technologies and practices.

The Department of Labor and Employment (DOLE) and the Technical Education and Skills Development Authority (TESDA) shall be responsible in the training of agricultural and fisheries machinery technicians and operators.

Furthermore, scholarships for graduate and undergraduate degrees on agricultural engineering and trade/vocational courses on agricultural and fisheries mechanization shall be given priority by the DA, the CHED and the DOST.

SEC. 13. *Manpower Complement.* – All agricultural and fisheries machinery pools and service centers, including sales and distribution outlets and manufacturing establishments, either public or private, shall have the required manpower complement of licensed agricultural engineers and certified technicians and operators, in accordance with the guidelines and standards to be promulgated by the Board of Agricultural Engineering (BoAE) of the Professional Regulation Commission (PRC) and the DOLE to ensure efficient operation and maintenance and good management practices. The DA shall ensure compliance to this manpower complement requirement.

SEC. 14. *Skills Certification of Agricultural Machinery Technicians and Operators.* – The TESDA, in collaboration with the DA, the BoAE and the national associations of agricultural engineers and agricultural machinery assemblers, manufacturers and distributors, shall undertake skills certification and accreditation systems for agricultural and fishery machinery operators and technicians.

ARTICLE IV

LOCAL ASSEMBLY, MANUFACTURE, SUPPLY
AND AFTER-SALES SERVICE

SEC. 15. *Local Assembling and Manufacturing.* – Production of locally-made engines and other machinery for agricultural and fisheries purposes shall be promoted and encouraged by the DA in partnership with the private sector, and through joint venture agreements. For this purpose, the DA in partnership with the recognized national organization of agricultural machinery assemblers, manufacturers and distributors, agricultural engineers and the DOST shall undertake the feasibility study and R&D for the local assembly and manufacture of agricultural engines/prime mover, and other agricultural machinery and equipment.

SEC. 16. *Incentives for Local Manufacturers and Assemblers of Agri-fisheries Machinery.* – Ventures in local manufacture, fabrication and assembly of agri-fisheries machinery and equipment shall be eligible for loans under the Agricultural Competitiveness Enhancement Fund (ACEF) under the program of the DA. These businesses shall be granted incentives as long as they are considered as registered enterprises engaged in a preferred area of investment pursuant to Article 39 of Executive Order No. 226. as amended.

SEC. 17. *After-Sales Service.* – All agricultural and fisheries machinery assemblers, manufacturers, importers, suppliers, distributors and dealers are required to provide after-sales service and warranty to their respective clients which shall be monitored by the agriculture offices of the LGUs and the Bureau of Agricultural and Fisheries Engineering (BAFE), created under Section 24 of this Act.

ARTICLE V

TESTING AND EVALUATION, REGISTRATION,
STANDARDIZATION AND ACCREDITATION

SEC. 18. *Testing and Evaluation.* – Agricultural and fisheries machinery and equipment to be sold in the market shall pass through testing and evaluation by the Agricultural Machinery Testing and Evaluation Center (AMTEC) in accordance with the national policies and guidelines to be promulgated by the Secretary. Specifically, before it can be assembled, manufactured and commercially sold in the market, the model of the machine and any modification thereof should be tested by the AMTEC and should pass the prescribed quality and performance standards. The regular testing and evaluation of machinery sold shall be undertaken by the AMTEC on new models and design. Field tests shall likewise be undertaken by the AMTEC to ensure consistent quality of test units as well as on the commercial units. The BAFE shall maintain a certification registry of equipment and machinery as well as a registry of those denied certification.

SEC. 19. *Registration of Ownership of Agricultural and Fishery Machinery and Equipment.* – All owners of agricultural and fishery machinery and equipment must register these with the agriculture offices of municipal and city government units. The agriculture offices of the LGUs shall establish and maintain a registry of agricultural and fishery machinery at the municipal, city and provincial levels. The DA Regional Agricultural Engineering Division shall maintain a registry of agricultural and fishery machinery at the regional office whereas the BAFE shall maintain a national database of all registered agricultural and fishery machinery. Each office shall ensure that these registries and databases are available through the internet. The Secretary shall promulgate national guidelines and procedures for the registration of agricultural and fisheries machinery by the LGUs, including the collection of registration fees in accordance with the Local Government Code.

SEC. 20. *Registration of Manufacturers, Fabricators, Assemblers and Importers.* – Within six (6) months upon the enactment of this Act, all manufacturers, fabricators, assemblers and importers must register with the BAFE.

Three (3) years upon the enactment of this Act, registrants must provide certification by an accredited certifying body of all products that they have in the market or intend to market and withdraw all products that have no certification. One (1) year after the enactment of this Act, the registrants must submit to the BAFE the list of equipment/machineries manufactured/fabricated/assembled/ imported.

SEC. 21. *Standards Development and Enforcement.* – The DA, through the Bureau of Agriculture and Fisheries Product Standards (BAFPS), in coordination with the DTI, the DOST, the BoAE and the AMTEC, and in consultation with the accredited associations of farmers and fisherfolk, agricultural machinery assemblers, manufacturers and distributors and agricultural engineers shall develop standards specifications and test procedures of agricultural and fishery machinery and equipment. These standards should be in conformity with the International Standards Organization (ISO) and shall be part of the existing Philippine Agricultural Engineering Standards (PAES).

Thereafter, the DA and the LGUs, in collaboration with the BoAE, shall enforce the above standards on the manufacture, sale and distribution of agricultural and fisheries machinery and equipment, and its accreditation system for agricultural and fisheries facilities and establishments.

The Secretary shall deputize the agriculture offices of the LGUs to monitor the implementation of regulation concerning certification, registration of manufacturers, assemblers, dealers or importers and accreditation of agricultural and fishery machinery and equipment testing centers.

The Department of Public Works and Highways (DPWH) and the local building officials, consistent with the provisions of Republic Act No. 8559, otherwise known as the “Philippine Agricultural Engineering Act of 1998”, and in coordination with the agriculture offices of the LGUs shall enforce the PAES as part of the implementation of the National Building Code of the Philippines particularly in the design, construction, operation and maintenance of agricultural and fisheries buildings and structures.

SEC. 22. *Classification and Accreditation of Assemblers, Manufacturers, Importers, Suppliers, Distributors and Dealers.* – Agricultural and fisheries machinery assemblers, manufacturers, importers and suppliers, distributors and dealers shall be classified into small, medium and large, and shall be encouraged to have their manufacturing/service facility build-up: *Provided*, That agricultural and fisheries machinery assemblers, manufacturers, importers, suppliers, distributors and dealers shall be classified and accredited based on their organizational strengths and track record, area of operation, marketing and distribution network, after-sales service and manufacturing capabilities.

For this purpose, the DA shall encourage and assist in the organization of a private-led classification and accreditation system for agricultural machinery assemblers, manufacturers, importers, suppliers, distributors and dealers.

ARTICLE VI

INSTITUTIONS

SEC. 23. *Agricultural and Fisheries Mechanization Committee.* – The Agricultural and Fisheries Mechanization Committee (AFMeC) under the National Agricultural and Fishery Council (NAFC) shall act as an advisory body to ensure the success of the programs and activities of the DA concerning agricultural and fisheries mechanization. It shall also serve as the consultative and feedback mechanism from the lowest possible level to the top decision makers and to assist in defining and formulating the goals and

scope of the country's agricultural and fisheries mechanization and infrastructure policies, plans and programs. The agricultural and fisheries mechanization committees under the regional, provincial, city, municipal and barangay agricultural and fishery councils shall integrate, coordinate, unify and monitor the field implementation of the agri-fisheries mechanization and infrastructure projects of various national government agencies, LGUs, banking and financial institutions and the private sector.

SEC. 24. *Strengthening the DA Agricultural and Fishery Engineering Groups.* – Pursuant to Section 46 of Republic Act No. 8435, otherwise known as the “Agriculture and Fisheries Modernization Act of 1997”, a Bureau of Agricultural and Fisheries Engineering (BAFE) is hereby created as a regular bureau of the DA which shall be under the supervision of the DA Undersecretary and shall have the following functions and responsibilities:

(a) Coordinate, oversee and monitor the national planning and implementation of agri-fisheries engineering, farm-to-market road and other agri-fisheries infrastructure projects;

(b) Assist in the national planning, coordination and implementation of the national agri-fisheries mechanization programs;

(c) Prepare, evaluate, validate and recommend engineering plans, designs and technical specifications on agri-fisheries mechanization and infrastructure projects;

(d) Oversee and provide technical assistance to the operations of the agricultural engineering divisions of the DA regional field units;

(e) Coordinate and integrate all agricultural and fisheries engineering activities of the DA bureaus, attached agencies and corporations;

(f) Coordinate and monitor the enforcement of standards and other regulatory policies on agricultural and fishery engineering;

(g) Implement accreditation and registration scheme for agriculture and fishery machinery, tools and equipment, in coordination with technology generators:

(h) Issue permits to operate to agriculture and fishery tools and equipment manufacturers, fabricators, assemblers and importers; and

(i) Promulgate and implement accreditation guidelines for testing centers.

The BAFE shall be headed by a Bureau Director and Assistant Bureau Director, all appointed by the President.

The BAFE shall have the following divisions: (1) Engineering Plans, Designs and Specifications; (2) Programs and Projects Management; (3) Standards Regulation and Enforcement; and (4) Administration and Finance.

Modifications shall be made in the organizational structure and staffing pattern of the regional field units of the DA for the creation of Agricultural Engineering Division to strengthen the provision of agricultural engineering services necessary to carry out the field implementation of the agricultural and fishery engineering, mechanization and infrastructure programs and projects of the DA.

All concerned bureaus and attached agencies of the DA implementing agri-fishery mechanization and infrastructure projects shall review and modify their organizational structure and staffing pattern with the end-view of strengthening the provision of agricultural engineering services as part of the overall network of the BAFE.

SEC. 25. Philippine Center for Postharvest Development and Mechanization (PHILMech). – The PHilMech shall coordinate, plan

and execute agricultural and fishery mechanization and postharvest RDE programs and projects of the DA.

SEC. 26. *Bureau of Agriculture and Fisheries Product Standards.* – The BAFPS, in addition to its functions under Sections 62 and 63 of Republic Act No. 8435, shall develop standards for agriculture and fishery machinery, tools and equipment in coordination with accredited testing centers, and other concerned government and private entities.

The BAFPS is hereby renamed into Bureau of Agriculture and Fisheries Standards (BAFS) and authorized to create a new section under the current Standards Development Division on agricultural and fisheries machinery regulations. It may call upon experts, professional groups and other government agencies to assist in the performance of its functions.

SEC. 27. *Agricultural Machinery Testing and Evaluation Centers (AMTEC).* – The AMTEC of the College of Engineering and Agro-Industrial Technology (CEAT) of the UPLB is hereby institutionalized. The AMTEC is hereby designated as the premier and reference testing center in the country, and for purposes of functional coordination and integration, shall closely coordinate its activities with the BAFS and BAFE. As the premier testing center, it shall assist the BAFS in the formulation of quality, safety and performance standards of agricultural and fisheries machinery and of accreditation guidelines for testing centers. It shall also provide technical assistance in the establishment of testing centers in other parts of the country.

ARTICLE VII

RESPONSIBILITIES OF THE LOCAL GOVERNMENT UNITS

SEC. 28. *Implementation by the LGUs.* – The LGUs, pursuant to the provisions of Republic Act No. 7160, otherwise known as the “Local Government Code of 1991”, shall undertake applied research, extension, dispersal, management and regulation of agricultural

and fisheries machinery and equipment, including the collection of fees.

SEC. 29. Strengthening the Agricultural Engineering Groups of the LGUs. – The agricultural engineering division/section of the agriculture offices of the LGUs organized under Executive Order No. 86, Series of 1999 and Section 46 of Republic Act No. 8435 shall serve as the planning, coordinating, regulating and implementing bodies at the provincial, city and municipal levels on agricultural and fisheries engineering, mechanization and infrastructure programs and projects and shall have the following functions and responsibilities:

(a) Provide agricultural engineering services which include engineering survey, preparation and evaluation of plans, designs, technical specifications, feasibility studies and cost estimates/program of work of irrigation, small water impounding, soil conservation and management, farm machinery, slaughterhouses, poultry dressing plants, postharvest facilities, auction markets, farm-to-market roads and other agricultural and fisheries infrastructure projects of the LGUs;

(b) Administer, supervise and coordinate the construction, operation, maintenance, improvement and management of irrigation, small water impounding, soil and water conservation structures and facilities, farm machinery, postharvest facilities, auction markets, farm-to-market roads and other agricultural and fisheries infrastructure projects of the LGUs;

(c) Undertake the registration of agri-fishery machinery and facilities, enforcement of the PAES and other agricultural and fishery engineering regulatory activities in coordination and collaboration with the concerned national government agencies;

(d) Coordinate with the concerned national government agencies with regard to the implementation of national government programs and projects on irrigation, farm mechanization,

postharvest facilities, farm-to-market roads and agricultural and fisheries infrastructure;

(e) Be in the frontline of the delivery of basic agricultural engineering services;

(f) Provide training and extension activities to farmers and fisherfolk particularly in the installation, operation and maintenance of their irrigation, postharvest facilities, agricultural and fishery machinery projects in coordination with the agriculture and fisheries extension workers;

(g) Undertake and/or coordinate the pilot testing and commercialization of matured agricultural and fisheries engineering technologies; and

(h) Exercise such other powers and perform such other duties and functions as may be prescribed by law or ordinance.

To effectively carry out the above functions and responsibilities, the agricultural engineering division of the provincial and city agriculture offices, and agricultural engineering section in the municipal agriculture offices are hereby strengthened and institutionalized into the organizational structure of the LGUs, and if not yet existing, shall be created in the particular LGUs. The LGUs belonging to the first up to the third income classes which are providing or implementing agricultural and fisheries infrastructure, mechanization and engineering projects shall hire at least one (1) agricultural engineer at the provincial, city and municipal levels.

In the case of provincial, city and municipal LGUs belonging to the fourth up to the sixth income classes which are not capable of establishing then agricultural engineering division/section due to financial constraints, the DA through its regional agricultural engineering divisions shall augment and perform such responsibilities and, as deemed necessary, establish its provincial, city and municipal operation units, and shall be allocated and

provided with necessary funding and manpower requirements for their operation.

ARTICLE VIII

PROHIBITED ACTS, PENALTIES AND SANCTIONS

SEC. 30. *Prohibited Acts.* – It is unlawful for any person to:

(a) Sell, mortgage or lease agricultural and fishery machinery without being registered with the BAFE;

(b) Sell new agricultural and fishery machinery without warranty or after-sales service;

(c) Claim ownership to an agricultural and fishery machinery that has not been properly registered in his/her name; and

(d) Operate a testing center without proper accreditation.

SEC. 31. *Penalties.* – Any person who shall violate any provision of this Act shall, upon conviction, be subject to a fine of not less than One thousand pesos (P1,000.00) but not more than Ten thousand pesos (P10,000.00) or imprisonment of not less than two (2) months but not more than one (1) year, or both, upon the discretion of the court and/or other applicable penalties imposed under Republic Act No. 7394, otherwise known as the “Consumer Act of the Philippines”. The purchase of noncertified or substandard agricultural and fishery machinery for the government shall be dealt with under Republic Act No. 3019, as amended, otherwise known as the “Anti-Graft and Corrupt Practices Act.”

SEC. 32. *Sanctions.* – This provision shall take effect four (4) years upon the enactment of this Act when all regulatory provisions have already been in place. The Secretary or his duly authorized representative has the power to file before the proper court or regulatory agency the:

(a) Forfeiture proceedings for agricultural and fishery machinery that is not duly certified, without serial number and without warranty, and is substandard;

(b) Closure proceedings against business entities not duly registered as manufacturers, assemblers, dealers or importers of agricultural and fishery machinery, or sells new agricultural and fishery machinery not duly certified, without a serial number, or without warranty, without after-sales service and substandard; and

(c) Closure proceedings against testing centers that has not been duly accredited.

Any business that sells new agricultural and fishery machinery which was not duly certified, without a serial number, without warranty, or without after-sales service shall be given one (1) month to refund or replace the sold machinery duly corrected for any deficiency as indicated. Failure to do so shall result to corresponding legal action against the offending party.

ARTICLE IX

MISCELLANEOUS PROVISIONS

SEC. 33. *Agricultural and Fisheries Mechanization Programs at the Local Levels.* – The LGUs, through an ordinance, shall also formulate in consultation with the DA and implement their respective provincial, city and municipal agricultural and fishery mechanization plans as a vital component of their respective local development plans.

SEC. 34. *Contiguous Farming.* – The DA, together with the Department of Agrarian Reform (DAR), shall carry out contiguous farming projects in order to effect suitable field shapes and sizes conducive to efficient operation of agricultural machinery and equipment and likewise to ensure economies of scale. The contiguous farming projects shall:

(a) Promote farm land clustering with a minimum of fifty (50)-hectare cluster for synchronized farming operations, from land preparation to harvesting, in cooperation or contract with agricultural mechanized operation service providers;

(b) Undertake farm development planning; and

(c) Promote the strengthening of farmers cooperatives and associations.

SEC. 35. *Use of Renewable Energy.* – The use of renewable and nonconventional energy such as wind, solar, hydro, biomass and other farm-based energy sources shall be promoted as power sources for the operation and maintenance of agricultural and fisheries machinery. The DA, in coordination with the Department of Energy (DOE), the DOST and SUCs, and the private sector shall undertake research and extension activities to enhance the use of renewable and nonconventional energy in agricultural and fisheries operations.

SEC. 36. *Infrastructure Support.* – The government shall provide priority investment for the infrastructure needs in clustered farm land identified as key agricultural and fishery production areas to accelerate agricultural and fisheries mechanization in the countryside and this includes irrigation, farm-to-market roads, postharvest, power and communications facilities.

SEC. 37. *Implementing Rules and Regulations.* – The DA, within six (6) months upon the enactment of this Act and in consultation with the stakeholders and other government agencies, shall promulgate the necessary rules and regulations to implement this Act.

SEC. 38. *Funding.* – The Secretary of Agriculture shall include in the DA's program the implementation of this Act, the funding of which shall be included in the annual General Appropriations Act.

The DA shall likewise set aside funds from the Agricultural Competitiveness Enhancement Fund (ACEF) for grants to upgrade the AMTEC and to establish one (1) testing center in Visayas and one (1) testing center in Mindanao.

The BAR shall allocate funds annually from its regular R&D funds to support research programs, processing of patent applications, and testing and certification of locally designed agri-fisheries equipment and machineries.

All LGUs shall include in their investment plans, as part of the priority appropriations for local development fund, the funding support for the implementation of their respective provincial, city, municipal and barangay agricultural and fisheries mechanization programs in accordance with Republic Act No. 7160 and its implementing rules and regulations and the Department of the Interior and Local Government-Department of Budget and Management (DILG-DBM) Joint Memorandum Circular No. 1, Series of 2005.

The CHED shall allocate funds from the Higher Education Development Fund necessary for the upgrading of agri-fisheries mechanization and engineering laboratory facilities of concerned SUCs, faculty training program and scholarships.

The TESDA shall likewise allocate funds from its annual appropriations necessary for the skills certification and training program for agri-fishery machinery technicians and operators.

SEC. 39. *Congressional Oversight Committee.* – The Congressional Oversight Committee on Agricultural and Fisheries Modernization (COCAFAM) shall be the congressional oversight committee for purposes of this Act.

SEC. 40. *Separability Clause.* – The provisions of this Act are hereby declared separable and if any clause, sentence, provision or section hereof should be declared invalid, such invalidity shall not

affect the other provisions of this Act which can be given force and effect without the provisions which have been declared invalid.

SEC. 41. *Repealing Clause.* – All laws, decrees, executive and other administrative issuances and parts thereof which are inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SEC. 42. *Effectivity Clause.* – This Act shall take effect after fifteen (15) days from its publication in the *Official Gazette* or in two (2) newspapers of general circulation.

Approved,

(Sgd.) FELICIANO BELMONTE JR. (Sgd.) JUAN PONCE ENRILE
Speaker of the House *President of the Senate*
of Representatives

This Act, which is a consolidation of Senate Bill No. 3338 and House Bill No. 6548 was finally passed by the Senate and the House of Representatives on February 4, 2013.

(Sgd.) MARILYN B. BARUA-YAP (Sgd.) EDWIN B. BELLEN
Secretary General *Acting Senate Secretary*
House of Representatives

Approved: JUN 05 2013

(Sgd.) BENIGNO S. AQUINO III
President of the Philippines

S. No. 2400
H. No. 4633

Republic of the Philippines
CONGRESS OF THE PHILIPPINES
Metro Manila

Sixteenth Congress
Second Regular Session

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

REPUBLIC ACT NO. 10659

**AN ACT PROMOTING AND SUPPORTING THE COMPETITIVENESS
OF THE SUGARCANE INDUSTRY AND FOR OTHER
PURPOSES**

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

SECTION 1. *Short Title.* – This Act shall be known as the
“Sugarcane Industry Development Act of 2015”.

SEC. 2. *Declaration of Policy.* – It is hereby declared the
policy of the State to promote the competitiveness of the sugarcane
industry and maximize the utilization of sugarcane resources,
and improve the incomes of farmers and farm workers, through
improved productivity, product diversification, job generation, and
increased efficiency of sugar mills.

For these purposes, the State shall: (a) establish productivity
improvement programs; (b) provide the needed infrastructure
support; (c) enhance research and development of other products
derived from sugar, sugarcane, and their by-products; (d) provide
human resource development and extension services; and (e) provide
financial assistance to small farmers.

SEC. 3. *Productivity Improvement Programs.* – To boost the production of sugarcane and sugar, and increase the incomes of sugarcane farmers/planters and farm workers, the following Productivity Improvement Programs shall be implemented:

(a) Block Farm Program. – The Block Farm Program for sugarcane farming being implemented by the Sugar Regulatory Administration (SRA), the Department of Agriculture (DA), the Department of Agrarian Reform (DAR), and other government agencies is hereby institutionalized and shall be further enhanced and supported.

For purposes of this Act, the Program is the consolidation of small farms including farms of agrarian reform beneficiaries, as one larger farm, with a minimum area of thirty (30) hectares within a two-kilometer radius, to take advantage of the economies of scale in the production of sugarcane, such that the activities in the small farms are aligned and implemented to ensure the efficient use of farm machineries and equipment, deployment of workers, volume purchase of inputs, financing, and other operational advantages, as well as recognition by sugar mills, government financial institutions, private investors, but the ownership of each small farm remains with the landowners.

The SRA, the DA, the DAR and other concerned government agencies shall provide common service facilities, such as farm machineries and implements, grants or start-up funding for the needed production inputs, technology adoption, livelihood and skills training and other development activities for the block farm and its members, and other support activities that may be identified.

To ensure the success of, and compliance to the objectives of the Program, the SRA shall:

(1) Develop guidelines for sugarcane farms to qualify for and continue to participate in the Program;

(2) Provide farm management, technical assistance, and professional services support to block farms, in coordination with the DA, the DAR and other concerned government agencies;

(3) Monitor the development and productivity of block farms;

(4) Recommend, after six (6) years, the cessation of the Program on block farms that have failed to improve productivity or raise efficiency, or graduation of block farms that have achieved high and sustainable productivity and profitability on its operations; and

(5) Implement a certification system as a mechanism to access grants, low interest financing, and other incentives and support from Official Development Assistance (ODA); and market access of sugarcane: *Provided*, That sugar mills, bioethanol distilleries and other markets of sugarcane shall provide market access priority to the SRA-certified block farms.

(b) Farm Support Program. – For other farms that are not eligible under the Block Farm Program, the SRA shall make available a support program which shall include, among others, the provision of (1) socialized credit; and (2) farm management, technical assistance; and professional services:

(i) Socialized credit shall be made available, through the Land Bank of the Philippines (LBP), for the acquisition of production inputs, farm machineries, and implements necessary for the continuous production of sugarcane: *Provided*, That the loans shall be available to sugarcane farmers duly registered with the SRA: *Provided, further*, That the lender shall have a lien on the quedan of farmers who obtained a crop loan until the crop loan is fully paid: *Provided, finally*, That farmers cannot be granted another loan until the loan is fully paid.

To ensure immediate payment of farmers and secure their income from sugarcane, farmers may enter into any payment method with the sugar mills or distilleries for their sugarcane.

(ii) Farm Management, Technical Assistance and Professional Services –The SRA, the DA, the DAR, the Department of Labor and Employment (DOLE), the Technical Education and Skills Development Authority (TESDA), state universities and colleges (SUCs), and other concerned private and nongovernment organizations (NGOs) shall formulate and implement a deployment program of agricultural engineers, agriculturists and farm technicians for the provision of farm management, technical assistance and professional services to these farms.

(c) Farm Mechanization Program. – Planters/farmers of sugarcane farms, including block farms and farms of agrarian reform beneficiaries, shall be encouraged and trained to utilize appropriate agricultural machineries and equipment necessary for the efficient planting, cultivation, care and maintenance, harvesting and handling of sugarcane.

The SRA, the DA and the DAR, in partnership with local government units (LGUs), consistent with the provisions of Republic Act No. 10601, otherwise known as the “Agricultural and Fisheries Mechanization (AFMech) Law”, shall:

(1) Introduce or expand the use of machineries for the different stages of sugarcane farming;

(2) Formulate and implement a Sugarcane Farm Mechanization Program at the mill district levels and block farms; and

(3) Support the establishment, operation and maintenance of Agri-fisheries Machinery and Equipment Service Centers, as provided in Section 9 of Republic Act No. 10601, in sugarcane areas and, for this purpose, provide socialized credit to service centers: *Provided*, That these service centers shall emphasize the provision of plowing, harrowing, weeding, fertilization, harvesting and other farm mechanization services to sugarcane farms that do not have the capability to purchase or maintain their own machineries and equipment.

To develop and deploy appropriate machineries and equipment, the SRA, through its research centers, in collaboration with the Philippine Sugar Research Institute, the Philippine Center for Post-Harvest Development and Mechanization, the Bureau of Agricultural Research, SUCs, other concerned government agencies, and industry stakeholders, shall formulate and conduct a research, development and extension program for sugarcane farm mechanization and engineering.

The LBP shall manage the socialized credit facility under the Farm Support Program and the Farm Mechanization Program.

The SRA, the DA, the DAR, and the LBP shall issue the guidelines on the administration and lending of the socialized credit facility.

SEC. 4. Research and Development. – The SRA, in coordination with the Department of Science and Technology (DOST), as well as relevant state universities and government research and development institutions and the private sector, shall intensify researches on sugarcane high yielding or flood resistant varieties; pest control and prevention; latest farming, milling, refining and biomass co-generation technologies; soil analysis and fertility mapping of sugarcane areas; weather monitoring and climate change adaptation measures; sugar and sweetener consumption; and other viable products that can be derived from sugarcane. The DA and the DOST shall likewise provide assistance to the SRA to improve the latter's crop forecasting and crop monitoring activities or programs.

SEC. 5. Extension Services. – In addition to extension services provided by the DA, the DAR, the SUCs and private and NGOs, extension services in sugar districts shall be provided by the SRA and the mill district development councils (MDDCs). Extension services that can be provided shall include, but not limited to, provision of technical assistance and advice, conduct of tests, propagation, and dissemination of high yielding varieties, and operation of demonstration farms.

For its extension services, MDDCs may develop linkages with NGOs, peoples' organizations, and LGUs. It may likewise secure funding for its extension services from private sector sources.

SEC. 6. *Human Resources Development.* – All stakeholders in the sugarcane industry shall contribute to the development of a sustainable human resource for the industry. Towards this end, the DOLE, in collaboration with the SRA, the Commission on Higher Education, the TESDA, the Professional Regulation Commission (PRC) and the private sector, shall formulate and implement a Human Resources Development (HRD) Master Plan for the sugarcane industry which shall include, but not limited to, the following:

(a) Capacity building, skills trainings, institutional strengthening of the sugarcane industry workers, small farmers and agrarian reform beneficiaries and their organizations to actively contribute in productivity and competitiveness;

(b) Scholarship program for the underprivileged but deserving college and post graduate students who are taking up courses in relevant fields of discipline in SUCs which have programs in agriculture, agricultural engineering and mechanics, and chemical engineering/sugar technology; and for vocational courses and skills development for farmers and farm technicians, and skilled workers in sugar mills, sugar refineries, distilleries and biomass power plants;

(c) Conduct of capability training or attendance to local or international trainings and seminars by farmers, mill, refinery, distilleries and biomass power plant technicians, including the SRA technical personnel on the latest technologies related to sugarcane farming, manufacture or production of sugar and other products derived from sugarcane;

(d) Formulation and implementation of competency standards and training regulations for technical vocational education and training for the sugarcane industry by the TESDA; and

(e) Upgrading of facilities, faculty development and strengthening of the on-the-job training program of agri-based higher education institutions in sugarcane areas towards the production of highly employable and globally competitive graduates needed by the sugarcane industry.

SEC. 7. *Infrastructure Support.* – To facilitate the transport of sugarcane to mills and distilleries, enhance the marketing and export of sugar and other products derived from sugarcane, and complement productivity improvement measures in this Act, transport infrastructure, farm-to-mill roads, and irrigation facilities shall be provided.

(a) *Transport Infrastructure.* – The National Economic and Development Authority (NEDA), the Department of Transportation and Communications (DOTC), the Department of Public Works and Highways (DPWH), and the Philippine Ports Authority (PPA), shall include in their annual Development Plans and Priority Investment Programs the immediate construction and/or improvement of existing transloading ports for export or coast-wide transport of sugar and other products derived from sugarcane in key sugarcane producing provinces. The SRA shall submit to these agencies, six (6) months from the start of the effectivity of this Act, a priority list of transloading ports covered by this provision.

(b) *Farm-to-Mill Roads.* – The NEDA, the DA, the DPWH, and concerned LGUs, shall include in their annual Priority Investment Program the immediate construction and/or rehabilitation of farm-to-mill roads in key sugarcane producing provinces. The SRA shall prepare and submit to these agencies and LGUs, within six (6) months from the start of effectivity of this Act, a Farm-to-Mill Road Master Plan and priority farm-to-mill roads at the mill district as basis for the planning, programming and investment prioritization.

(c) *Irrigation.* – The National Irrigation Administration (NIA), the Bureau of Soils and Water Management, and concerned LGUs, in coordination with the SRA, shall construct appropriate, efficient and cost effective irrigation facilities, pump and other pressurized

irrigation systems, rain capture and water impounding facilities in block farms and other sugarcane farms. The SRA shall submit to these agencies the list of priority sugarcane areas within six (6) months from the start of the effectivity of this Act. The DA and the NIA shall include in its annual budget the item or provision on construction and rehabilitation of irrigation facilities, rain capture and water impounding facilities in sugarcane areas.

To promote the conservation of water resources and encourage and involve the participation of sugar mills, refineries and distilleries in providing irrigation to sugarcane areas, the utilization for irrigation of wastewater discharge of mills, refineries, or distilleries, that meet the specifications of the DA on the safe reuse of wastewater for irrigation, fertilization and other agricultural uses, is considered “reuse” and, therefore, exempt from wastewater charges under the system provided under Section 13 of Republic Act No. 9275, also known as the “Philippine Clean Water Act of 2004”.

SEC. 8. *Sugar Supply Monitoring System.* – As the agency mandated to regulate the supply of sugar in the country, in addition to its powers and functions under Executive Order No. 18, series of 1986, the SRA shall establish a supply chain monitoring system from sugarcane to sugar at the retail level to ensure sufficiency and safety of sugar.

To accurately determine the supply of sugarcane and sugar in the country and to provide sound basis for diversification, planning and policy, it is mandated that the following shall register with the SRA:

(a) Sugarcane farmers, farmers’ associations/federations, mills/mill associations, sugarcane consolidators and muscovado producers;

(b) Distilleries, using molasses, sugar or sugarcane as ingredient for alcohol: *Provided*, That importers, and consignees of imported molasses regularly report to the SRA, among other information, the volume of molasses imported;

(c) International and domestic sugar traders, including wholesale traders and repackers, muscovado and molasses traders and customs bonded warehouses (CBWs) of food processors importing sugar for reexport: *Provided*, That international and domestic sugar traders and the CBW food processors shall likewise submit a list of all their warehouses of sugar;

(d) Warehouses of sugar, and business establishments that manufacture or sell bags or sacks for packing sugar; and

(e) Cane hauling and harvesting service providers.

The SRA shall provide the forms and make sure that the manner of registration shall be the least possible cost to the stakeholder concerned particularly agrarian reform beneficiaries. The information gathered shall be used to develop a sugarcane industry database which shall be administered and updated by the SRA. Any of the aforementioned entities that shall not register shall be subject to penalties imposed by the SRA.

SEC. 9. *Classification and Regulation of Supply of Sugar.* – The SRA, in the exercise of its regulatory authority, shall classify imported sugar according to its appropriate classification when imported at a time that domestic production is sufficient to meet domestic sugar requirements. The Bureau of Customs (BOC) shall require importers or consignees to secure from the SRA the classification of the imported sugar prior to its release.

SEC. 10. *Value-Added Tax (VAT) Zero-Rated on Refined Sugar for Export.* – Pursuant to Section 106(A)(2)(a)(1) of the National Internal Revenue Code, VAT zero-rated shall be imposed on refined sugar withdrawn from warehouses for actual physical export to the world market.

To differentiate refined sugar from raw sugar for VAT purposes, refined sugar refers to sugar whose content of sucrose, by weight, in the dry state corresponds to a polarimeter reading of 99.5° and above, and raw sugar means sugar whose content of

sucrose by weight, in the dry state, corresponds to a polarimeter reading of less than 99.5°.

The Bureau of Internal Revenue, in consultation with the SRA and industry stakeholders, shall issue the necessary regulation to implement this section.

SEC. 11. *Mandated Appropriations.* – The Department of Budget and Management (DBM) is hereby mandated to include annually, starting the year 2016, an initial aggregate amount of Two billion pesos (P2,000,000,000.00) in the President's program of expenditures for submission to Congress and allocated, as follows:

(a) Fifteen percent (15%) for grants to block farms under the Block Farm Program;

(b) Fifteen percent (15%) for socialized credit under the Farm Support and Farm Mechanization Programs;

(c) Fifteen percent (15%) for research and development, capability building and technology transfer activities under Research and Development, Extension Services, Human Resources Development, and Farm Support Programs;

(d) Five percent (5%) for scholarship grants to be provided under paragraph (b) of Section 6, Human Resources Development; and

(e) Fifty percent (50%) for infrastructure support programs.

In the identification and prioritization of specific programs and projects, the SRA shall conduct prior consultation with representatives of block farms, sugarcane farmers and workers, sugar millers, refiners, bioenergy producers, and producers of other products derived from sugarcane and its by-products. The Department shall issue the necessary guidelines for this purpose.

For the current year, the DBM shall include in a supplemental budget, that may be formulated, the amount of Two billion pesos (P2,000,000,000.00) and following the allocation prescribed in this section.

SEC. 12. *Non-Exemption from Comprehensive Agrarian Reform Program (CARP) Coverage.* – Nothing in this Act shall exempt any landholding from CARP Coverage.

SEC 13. *Implementing Rules and Regulations.* – The DA, in consultation with concerned government agencies and sugarcane industry stakeholders, shall issue the implementing rules and regulations of this Act within ninety (90) days starting from the effectivity of this Act.

SEC. 14. *Separability Clause.* – If any provision of this Act is declared unconstitutional, the validity of the remaining provisions hereof shall remain in full force and effect.

SEC. 15. *Repealing Clause.* – All laws, decrees, executive orders and rules and regulations or part or parts thereof inconsistent with any provision of this Act are hereby repealed, modified or amended accordingly.

SEC. 16. *Effectivity.* – This Act shall take effect after fifteen (15) days from its publication in the *Official Gazette* or in at least two (2) newspapers of general circulation.

Approved,

(Sgd.) FELICIANO BELMONTE JR. (Sgd.) FRANKLIN M. DRILON
Speaker of the House *President of the Senate*
of Representatives

This Act, which is a consolidation of Senate Bill No. 2400 and House Bill No. 4633 was finally passed by the Senate and the House of Representatives on February 2, 2015 and February 3, 2015, respectively.

(Sgd.) MARILYN B. BARUA-YAP
Secretary General
House of Representatives

(Sgd.) OSCAR G. YABES
Secretary of the Senate

Approved: MAY 27 2015

(Sgd.) BENIGNO S. AQUINO III
President of the Philippines

H. No. 3785

Republic of the Philippines
CONGRESS OF THE PHILIPPINES
Metro Manila

Sixteenth Congress
Third Regular Session

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

REPUBLIC ACT NO. 10878

AN ACT STRENGTHENING AND INSTITUTIONALIZING DIRECT CREDIT SUPPORT OF THE LAND BANK OF THE PHILIPPINES TO AGRARIAN REFORM BENEFICIARIES, SMALL FARMERS AND FISHERFOLK, FURTHER AMENDING REPUBLIC ACT NO. 3844, OTHERWISE KNOWN AS THE “AGRICULTURAL LAND REFORM CODE”, AS AMENDED

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

SECTION 1. Section 74 of Republic Act No. 3844, as amended by Republic Act No. 10374, otherwise known as the “Agricultural Land Reform Code”, is hereby further amended to read as follows:

“SEC. 74. *Creation.* - To finance the acquisition by the Government of landed estates for division and resale to small landholders, as well as the purchase of the landholding by the agricultural lessee from the landowner, there is hereby established a body corporate to be known as the ‘Land Bank of the Philippines’, hereinafter called the ‘Bank’, which shall have its principal place of business in Manila. The legal existence of the Bank is extended for a period of fifty (50) years from the expiration of its original term on 08 August 2013, renewable

for another fifty (50) years. The Bank shall be subject to such rules and regulations as the Bangko Sentral ng Pilipinas may from time to time promulgate.

“The Bank shall allocate five percent (5%) of its regular loan portfolio (net of loans to the Bangko Sentral ng Pilipinas, interbank loans and availments from domestic bills purchase line), for socialized credit to qualified small farmers, fisherfolk and agrarian reform beneficiaries (ARBs). This facility shall solely finance agricultural projects pursuant to the provisions of Section 4 of Republic Act No. 10000, otherwise known as ‘The Agri-Agra Reform Credit Act of 2009’.

“Credits extended to the beneficiaries named therein under this facility shall be based on the feasibility of the project and their paying capacity, their estimated production, and/or securities they can provide as well as assets as may be acquired by them from the proceeds of the loan.

“This facility will be funded through the operations of the Bank itself and will not require additional government funding.

“All loans extended through this special socialized credit facility shall qualify as part of the Bank’s compliance with the Agri-Agra Law.

“Credit under this special socialized credit facility shall be extended through the following conduits:

“(a) Farmers’ and fisherfolk’s cooperatives;

“(b) Farmers’ and fisherfolk’s organizations or associations;

“(c) Nonagricultural cooperatives (credit and multipurpose);

“(d) Cooperative banks;

“(e) Rural banks;

“(f) Thrift banks;

“(g) Agri-business firms or anchor firms providing credit support to ARBs, and small farmers and fisherfolk; and

“(h) Duly accredited microfinance nongovernment organizations by the Microfinance NGO Regulatory Council.

“Loans under this special socialized credit facility shall have an interest rate equivalent to not more than seventy-five percent (75%) of the Bank’s prevailing rates for loans to cooperatives: *Provided*, That these conduits shall have an interest spread of not more than five (5) percentage points. The interest spread shall exclude crop insurance premiums and guarantee fees: *Provided, further*, That a conduit cannot lend to another conduit.

“Criteria for eligibility under this special socialized credit facility shall be determined by the Bank and shall be reflected in the implementing rules and regulations.”

SEC. 2. Section 75 of Republic Act No. 3844, as amended, is hereby further amended by adding a new subsection (15) to read as follows:

“(15) To offer and issue common and preferred shares of stocks to ARBs, small farmers and fisherfolk through their organizations, cooperatives, federations and cooperative banks; development partners and strategic investors such as multilateral and bilateral institutions; rural banks and their associations, in quantities to be determined by the Board of Directors and in accordance with applicable laws,

rules and regulations: *Provided, However,* That the National Government shall maintain, at all times, at least two-thirds (2/3) ownership of the total outstanding common shares of the Bank.

“Preferred shares of stock shall be non-voting. Other features of preferred shares shall be determined by the Board of Directors in accordance with applicable laws and regulations.”

SEC. 3. *Implementing Rules and Regulations.* - The Bangko Sentral ng Pilipinas, in consultation with the Land Bank of the Philippines, shall formulate the rules and regulations necessary for the implementation of this Act.

SEC. 4. *Repealing Clause.* - All laws, executive orders, rules and regulations or parts thereof inconsistent with any provision hereof are hereby repealed or modified accordingly.

SEC. 5. *Separability Clause.* - If any provision or part hereof is held invalid, the other provisions not affected thereby shall remain and continue to be in full force and effect.

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

Approved,

(Sgd.) FRANKLIN M. DRILON
President of the Senate

(Sgd.) FELICIANO BELMONTE JR.
*Speaker of the House
of Representatives*

This Act, which originated in the House of Representatives was passed by the House of Representatives on February 17, 2014, amended by the Senate on February 1, 2016, and which amendments were concurred in by the House of Representatives on May 23, 2016.

(Sgd.) OSCAR G. YABES
Secretary of the Senate

(Sgd.) MARILYN B. BARUA-YAP
*Secretary General
House of Representatives*

Approved:

BENIGNO S. AQUINO III
President of the Philippines

Lapsed into law on JUL 17 2016 without the signature of the President, in accordance with Article VI, Section 27(1) of the Constitution.

S. No. 2434
H. No. 6421

Republic of the Philippines
CONGRESS OF THE PHILIPPINES
Metro Manila

Sixteenth Congress
Third Regular Session

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

REPUBLIC ACT NO. 10915

AN ACT STRENGTHENING, MODERNIZING AND ALIGNING THE PRACTICE OF AGRICULTURAL ENGINEERING IN THE COUNTRY INTO THE INTERNATIONALLY RECOGNIZED PRACTICE OF AGRICULTURAL AND BIOSYSTEMS ENGINEERING, AND FOR OTHER PURPOSES

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

ARTICLE I

GENERAL PROVISIONS

SECTION 1. *Title.* - This Act shall be known as the “Philippine Agricultural and Biosystems Engineering Act of 2016”.

SEC. 2. *Statement of Policy.* - It is hereby declared a policy of the State to promote, strengthen and regulate the practice of agricultural and biosystems engineering profession in the Philippines by instituting measures that will result in relevant agricultural and biosystems engineering education and enhanced roles and better career prospects for agricultural and biosystems engineers.

Likewise, the State hereby guarantees the application and delivery of agricultural and biosystems engineering services to accelerate agricultural and fishery modernization; and ensure food and water security, bio-energy development, natural resources conservation, environmental protection and human health and safety by fostering the training and development of an adequate and well-trained pool of agricultural and biosystems engineers in the country.

SEC. 3. *Coverage of this Act.* - This Act shall cover the following aspects of the practice of the profession of agricultural and biosystems engineering:

(a) Examination, registration and licensure of agricultural and biosystems engineers;

(b) Supervision, control and regulation of the practice of agricultural and biosystems engineering;

(c) Development, upgrading and updating of the curriculum of the agricultural and biosystems engineering profession in coordination with the Commission on Higher Education (CHED) and the concerned state universities and colleges (SUCs);

(d) Development and improvement of the professional competence and practice of agricultural and biosystems engineers through, among others, Continuing Professional Development (CPD) and career progression and specialization; and

(e) Integration of all agricultural and biosystems engineers under one national Accredited Integrated Professional Organization (AIPO) of agricultural and biosystems engineers which shall be recognized by the Board of Agricultural and Biosystems Engineering and the Professional Regulation Commission (PRC).

SEC. 4. *Definition of Terms.* - As used in this Act, the following terms shall mean:

(a) *Agricultural and Biosystems Engineering* refers to the application of engineering science and designs to the processes and systems involved in the sustainable production, post production and processing of safe food, feed, fiber, timber and other agricultural and biological materials and the efficient utilization, conservation, and management of natural and renewable resources in order to enhance human health in harmony with the environment. Agricultural and biosystems consist of crops, forestry and other plants, poultry, livestock, fisheries and aquaculture resources and other animals, wildlife and other living things;

(b) *Agricultural and Biosystems Engineer* refers to a person who is registered and licensed to practice agricultural and biosystems engineering in the country and who holds a valid certificate of registration and professional identification card from the Board of Agricultural and Biosystems Engineering and the PRC;

(c) *Agricultural and Biosystems Power and Machinery* refers to farm power and machinery for the production, harvesting, processing, storage, manufacture, preserving, transporting and distribution of agricultural and biological products/materials and includes, but is not limited to, tractors and their attachments, power tillers, seeders, transplanters, windmills, harvesting machines, crop protection and maintenance equipment, irrigation equipment and accessories, greenhouses and other thermal conditioning equipment, livestock, poultry, fishery and forest equipment, slaughtering equipment, meat/fishery and crop processing equipment, post harvest machines such as milling machines, dryers, threshers, grain and other strippers, agricultural transport machinery and storage;

(d) *Agricultural and Biosystems Buildings and Structures* refer to buildings and structures for the production, harvesting, processing, storage, manufacture, preserving, transporting and distribution of agricultural and biological products/materials and includes, but is not limited to, silos and its components, agricultural and biosystems machinery and equipment sheds, farm houses, green/screen houses, poultry houses, piggery houses, slaughterhouses, farm-to-market roads, farm bridges, agricultural and biological

products storage/warehouse, buildings and structures for poultry, livestock, fishery, and forestry production and processing, kiln drying and lumber treatment structure, farm equipment, farm supplies, and other structures such as self-feeders, and soil and water conservation structures:

(e) *Agricultural and Bio-Processing* refers to local activity or series of activities to maintain or raise the quality or change the form or characteristics of agricultural, fishery, forestry and biological products/materials and includes, but is not limited to, cleaning, sorting, grading, treating, drying, dehydrating, grinding, mixing, milling, canning, dressing, slaughtering, freezing, pasteurizing, conditioning, packaging, repacking, transporting of agricultural, fishery, forestry and other biological products/materials;

(f) *Agricultural and Biological Waste Utilization and Management* refers to the development of systems, processes, and equipment for agricultural waste disposal and utilization and environment-friendly technologies such as, but is not limited to, compost plants, biogas plants, biomass utilization technologies, systems and processes;

(g) *Agricultural and Bio-Information System* refers to utilization of information systems, database, and other information management tools for agricultural use, biological systems modeling to understand the mutual response between life and the environment; and application of Geographic Information System (GIS) technology for inventory, analysis, and management of agricultural and biological resources, and remote sensing technology for observation and examination of the landscape and its local forms and agricultural activities;

(h) *Agricultural and Biosystems Automation and Instrumentation* refers to the use and application of agricultural and biosystems sensors such as, but is not limited to, computer models for control and automation in the agricultural and fishery production industry and the biological systems and likewise, robotics for farm operation when use of machines are difficult

or impossible, agricultural and biosystems machine design and automated controls, precision farming systems, agricultural safety and controlled-environment agriculture; and the development and application of metrology equipment such as moisture meters, weighing scale and other metrology equipment;

(i) *Agricultural and Biosystems Resource Conservation and Management* refers to measures of conservation and proper management of agricultural and biological resources such as, but is not limited to, area development for agriculture, settlement and recreation; parks and plant nurseries; beneficial ecosystem of life and environment; study and analysis of agricultural system as an integrated component of landscape; monitoring and conservation of natural resources; rehabilitation of forest, lakes, rivers and idle lands; and the sustainable development, management, and exploitation of the agricultural ecosystem;

(j) *Accredited Integrated Professional Organization* refers to the professional organization of agricultural and biosystems engineers duly accredited by the Professional Regulatory Board of Agricultural and Biosystems Engineering and the PRC, hereinafter referred to as the “AIPO”;

(k) *Bachelor of Science in Agricultural and Biosystems Engineering* refers to the tertiary or higher education program which provides graduates with a Baccalaureate Agricultural and Biosystems Engineering Degree and shall hereinafter be referred to as BSABE. This program is effectively promulgated under enabling Policies, Standards and Guidelines (PSG) issued by the CHED in coordination with the Board of Agricultural and Biosystems Engineering and/or relevant SUCs;

(l) *Commission on Higher Education* refers to the government agency created to lead, promote, and regulate higher/tertiary education in the Philippines created under Republic Act No. 7722, hereinafter referred to as the “CHED”;

(m) *Irrigation* refers to the artificial application of water to the soil to assist in the growing of agricultural and forest crops, maintenance of landscapes, and revegetation of disturbed soils in dry areas and during periods of inadequate rainfall, and shall include drip, sprinkler, shallow tube well and other pressurized irrigation system; national and communal irrigation systems; surface and ground water resource management; and irrigation structures and facilities such as dams, weirs, pump systems, conveyances, canals, and flumes;

(n) *Professional Regulation Commission* refers to the government agency described under Republic Act No. 8981, hereinafter referred to as the “Commission”;

(o) *Professional Regulatory Board of Agricultural and Biosystems Engineering* refers to the administrative body created by law to supervise and regulate the practice of agricultural and biosystems engineering and is the ultimate authority in the practice of the agricultural and biosystems engineering profession in the Philippines. It shall be hereinafter referred to as the “Board”; and

(p) *Soil and Water Conservation* refers to measures that control soil and water degradation and enhance farm productivity; and shall consist of small farm reservoir, farm ponds, small water impoundments, contour farming, and terracing; soil erosion control, land conditioning and mulching, and flood control.

SEC. 5. *Scope of Practice of Agricultural and Biosystems Engineering.* - The practice of agricultural and biosystems engineering within the meaning and intent of this Act shall embrace, but not be limited to, the following:

(a) Preparation of engineering designs, plans, specifications, project studies, feasibility studies and estimates of irrigation and drainage, soil and water conservation and management systems and facilities, agrometeorological systems, agricultural and biosystems power, and machinery, agricultural and biosystems buildings and structures, renewable/bio-energy systems and farm electrification,

agricultural and bio-processing and post harvest facilities and system, agricultural and biological waste utilization and management, agricultural and bio-information system, agricultural and biosystems resource conservation and management, and agricultural and bio-automation and instrumentation system;

(b) Supervision or management on the construction, operation, and maintenance of irrigation and drainage, soil and water conservation and management systems and facilities, agrometeorological systems, agricultural and biosystems power and machinery, agricultural and biosystems buildings and structures, renewable/bio-energy systems and farm electrification, agricultural and bio-processing and post harvest facilities and system, agricultural and biological waste utilization and management, agricultural and bio-information system, agricultural and biosystems resource conservation and management, and agricultural and bio-automation and instrumentation system;

(c) Valuation, appraisal, investigation, inspection, monitoring, and technical audit on agricultural and biosystems machineries and equipment, structures and facilities, and agricultural and biosystems engineering projects;

(d) Program/Project development and management, planning, evaluation, and consultancy services on agricultural and biosystems engineering undertakings;

(e) Conduct of research and development, training and extension on agricultural and biosystems engineering;

(f) Testing, evaluation, and inspection of agricultural and biosystems machinery, and other related agricultural and biosystems engineering facilities, equipment and projects;

(g) Manufacture, distribution, installation, and sale of agricultural and biosystems machinery and other related agricultural and biosystems engineering facilities and equipment;

(h) Teaching and/or conduct of lecture of agricultural and biosystems engineering subjects in institutions of learning in the Philippines;

(i) Preparation and evaluation of farm development plans, farm suitability maps and land use maps/reports for agricultural, livestock and poultry, fishery, aquaculture and forest production and processing;

(j) Training and supervision of agri-fishery machinery technicians and operators of agri-fishery machinery service centers/pools, and agricultural and biosystems engineering technicians and operators in agricultural and biosystems plants, establishments, facilities, and projects;

(k) Employment with the government and private firms and establishments; *Provided*, That such item or position requires the knowledge and expertise of an Agricultural and Biosystems Engineer, or its duties and responsibilities covers the scope of practice in agricultural and biosystems engineering; and

(l) Participation in the preparation of environmental studies for agricultural, fisheries, agro-industrial and biosystems projects and its monitoring under the Environmental Impact Assessment (EIA) system.

The Board, subject to approval of the Commission, may add to, or exclude from, this section any activity or act of professional practice, or revise it as the need arises to conform to changes and new developments brought about by the latest trends in Agricultural and Biosystems Engineering.

ARTICLE II

PROFESSIONAL REGULATORY BOARD OF AGRICULTURAL AND BIOSYSTEMS ENGINEERING

SEC. 6. *Creation and Composition of the Board.*— There is hereby created a Board to be composed of a Chairperson and two (2) members under the administrative control and supervision of the Commission. They shall be appointed by the President of the Philippines from a list of three (3) recommendees for each position which were ranked by the Commission from a list of five (5) nominees for each position submitted by the AIPO in the Philippines. The Board shall be organized not later than six (6) months from the effectivity of this Act.

SEC. 7. *Qualifications of Members of the Board.* - A member of the Board shall, at the time of their appointment, possess the following qualifications:

- (a) Must be a Filipino citizen and resident of the Philippines;
- (b) Must be at least thirty-five (35) years of age;
- (c) Must be a holder of Bachelor's Degree in Agricultural and Biosystems Engineering, Agricultural Engineering or its equivalent, conferred by a school, academy, college or university in the Philippines or abroad which is accredited or recognized by the CHED;
- (d) A registered Agricultural and Biosystems Engineer with a valid professional license and an active practitioner for not less than ten (10) years prior to his/her appointment;
- (e) Must not, for a period of three (3) consecutive years prior to the appointment, be a member of the faculty of, directly or indirectly, any school, academy, institute, college or university where a regular course in Agricultural Engineering or Agricultural and Biosystems Engineering is being taught; or have any pecuniary

interest, directly or indirectly, in or administrative supervision over any such institutions of learning;

(f) Must not, for a period of three (3) consecutive years prior to the appointment, be connected with a review center or any group or association where review classes or lectures in preparation for the licensure examination are offered or conducted at the time of appointment;

(g) Must be a member in good standing of the AIPO for at least five (5) years, but not an incumbent officer or trustee thereof; and

(h) Has never been convicted of any offense involving moral turpitude.

SEC. 8. *Term of Office.* - The Chairperson and two (2) members of the Board shall hold office for a term of three (3) years from the date of their appointment and until their successors shall have been appointed and qualified. The first Board under this Act shall hold these terms of office: the Chairperson for three (3) years; the first member for two (2) years; and the second member for one (1) year; *Provided*, That any appointee to a vacancy with an unexpired term shall only serve such period.

The Chairperson or a member of the Board may be reappointed to their positions for another term of three (3) years immediately after the expiry of their terms: *Provided*, further, That the holding of such position shall not be for more than two (2) terms nor more than six (6) years, whichever is longer. The Chairperson and two (2) members of the Board shall take their oath of office prior to entering upon the performance of duty.

SEC. 9. *Compensation and Allowances of the Board.* - The Chairperson and members of the Board shall receive compensation and allowances comparable to the compensation and allowances being received by the Chairpersons and members of existing Professional Regulatory Boards under the PRC as provided for in the General Appropriations Act.

SEC. 10. *Vacancy and Removal of Board Members.* - Any vacancy occurring in the Board within the term of a member shall be filled for the unexpired portion of the term only. The President may remove the Chairperson or any member of the Board on the following grounds:

(a) Gross neglect, incompetence or dishonesty in the discharge of duty;

(b) Violation or tolerance of the violation of this Act or the Code of Ethics for agricultural and biosystems engineering;

(c) Involvement in the manipulation, tampering or rigging of the licensure examination, its questions and/or its results, and in the disclosure of classified and confidential information pertaining to the licensure examination;

(d) Final judgment for crimes involving moral turpitude; and

(e) Unprofessional, unethical, immoral or dishonorable conduct.

The Chairperson or member concerned shall be given due notice and hearing where his/her right to be heard and to defend himself, assisted by a counsel, shall be respected in the proper administrative investigation.

SEC. 11. *Powers and Duties of the Board.* - The Board shall exercise the following specific powers, functions and duties:

(a) Promulgate and adopt the rules and regulations necessary for carrying out the provisions of this Act;

(b) Supervise the registration, licensure and practice of agricultural and biosystems engineering in the Philippines;

(c) Administer oaths of successful examinees entering the practice of agricultural and biosystems engineering;

(d) Issue the certificate of registration to successful examinees;

(e) Issue, suspend or revoke the license for the practice of agricultural and biosystems engineering profession;

(f) Adopt an official seal of the Board;

(g) Look into the conditions affecting the practice of the agricultural and biosystems engineering profession through the conduct of ocular inspections and monitoring in agricultural and biosystems engineering offices, plants or establishments, both public and private, and in the case of schools, in coordination with the CHED and/or the concerned SUCs, and whenever necessary adopt such measures, including promulgation of agricultural and biosystems engineering standards, rules and regulations, and best practices for the enhancement and maintenance of high professional and ethical standards of the profession, and the formulation and implementation of agricultural and biosystems engineering profession development plan/road map;

(h) Prescribe and/or adopt, and enforce a Code of Ethical and Professional Standards for the practice of agricultural and biosystems engineering profession;

(i) Hear and try administrative cases involving violations of this Act, its implementing rules and regulations, the Code of Ethics for agricultural and biosystems engineers and for this purpose, to issue *subpoena* and *subpoena duces tecum* to secure the appearance of witnesses and the production of documents in connection therewith;

(j) Prescribe guidelines in the CPD program for agricultural and biosystems engineers in coordination with the AIPO of Agricultural and Biosystems Engineers;

(k) Ensure, in coordination with the CHED and/or SUCs, that all educational institutions offering agricultural and biosystems engineering education comply with the policies, standards and

requirements of the course prescribed by the CHED in the areas of curriculum, faculty, library and facilities;

(l) Prepare, adopt, issue or amend the syllabi of the subjects for examinations including its Table of Specifications in consultation with the academe, and cause the determination and preparation of questions for the licensure examination which shall strictly be within the scope of the syllabi of the subjects for examinations, as well as administer, correct and release the result of the licensure examinations;

(m) Approve, issue, limit or revoke temporary/special permit (TSP) to practice agricultural and biosystems engineering;

(n) Issue a cease or desist order to any person, association, partnership, corporation or cooperative engaged in violation of any of the provisions of this Act, any agricultural and biosystems engineering standards and/or rules or regulations duly promulgated by the Board as part of the rules governing the practice of agricultural and biosystems engineering in the Philippines;

(o) Punish for contempt of the Board, both direct and indirect, in accordance with the pertinent provision of, and penalties prescribed by, the Rules of Court;

(p) Perform regulatory, administrative, and quasi-legislative functions as mandated under Republic Act No. 8981, otherwise known as the “PRC Modernization Act of 2000”, and such other functions as may be necessary to implement the provisions of this Act;

(q) Discharge such other duties and functions as may be deemed necessary for the enhancement of the agricultural and biosystems engineering profession and the upgrading, development and growth of agricultural and biosystems engineering education in the Philippines; and

(r) Accreditation of specialty organization.

All policies, resolutions, rules and regulations of the Board shall be subject to the review and approval of the Commission.

SEC. 12. *Supervision of the Board; Custodian of its Records, Secretariat and Support Services.* - The Board shall be under the administrative control and supervision of the Commission. All records of the Board, including applications for examination, examination papers and results, minutes of deliberation, administrative cases and other investigations involving agricultural and biosystems engineers shall be kept by the Commission.

The Commission shall designate the Secretary of the Board and shall provide the secretariat and other support services to implement the provisions of this Act.

SEC. 13. *Annual Report.* - The Board shall, at the close of each calendar year, submit an annual report to the President through the Commission giving a detailed account of its proceedings and accomplishments during the year and making recommendations for the adoption of measures that will upgrade and improve the conditions affecting the practice of agricultural and biosystems engineering in the Philippines.

ARTICLE III

EXAMINATION, REGISTRATION AND LICENSE

SEC. 14. *Examination Required.* - All applicants for registration for the practice of agricultural and biosystems engineering shall be required to undergo and pass the licensure examination as provided for in this Act.

SEC. 15. *Qualification of an Applicant for Examinations.* - Every applicant for the examination for agricultural and biosystems engineers shall have the following qualifications:

(a) A citizen of the Philippines or a foreign citizen whose country or State has a policy on reciprocity in the practice of the profession;

(b) A graduate of Bachelor of Science in Agricultural and Biosystems Engineering or its equivalent, or Bachelor of Science in Agricultural Engineering prior to or after ten (10) years after the approval of this Act, in a school, academy, institute, college or university or an institution duly recognized by the CHED; and

(c) Of good moral character.

SEC. 16. *Fraudulent Application.* - The Board may suspend or revoke any certificate of registration obtained through misrepresentation made in the application for examination.

SEC. 17. *Scope of Examination.* - The licensure examination for agricultural and biosystems engineers shall cover the required competencies for the entry level of the practice of agricultural and biosystems engineering and shall include the following subjects:

(a) Agricultural and Biosystems Power, Energy and Machinery Engineering which include agricultural power and bio-energy, machine design and analysis, machinery management and mechanization of agricultural and bioproduction systems;

(b) Land and Water Resources Engineering which include agrometeorology, irrigation and drainage engineering, soil and water conservation, and aquaculture engineering;

(c) Agricultural and Biosystems Structures and Environment Engineering which include agricultural structures engineering, forest engineering, design and management of agricultural and biosystem structures, and bio-environmental design;

(d) Agricultural and Bioprocess Engineering which include refrigeration and cold storage, agri-industrial and biosystems application of electrical energy and electronics, agricultural

products process engineering, and food and bio-based products process engineering;

(e) Project Management, Feasibility Study Preparation/Evaluation, Research, Development and Extension on Agricultural and Biosystems Engineering;

(f) Fundamentals of Agricultural, Fishery, Ecological and Environmental Sciences;

(g) Mathematics and Basic Engineering Principles;

(h) Laws, Professional Standards and Ethics; and

(i) Other subjects within the areas of competencies required for the practice of agricultural and biosystems engineering profession pursuant to Section 5 of this Act.

The said subjects and their syllabi may be periodically amended by the Board so as to conform with the latest technological changes brought about by continuing trends in the profession.

SEC. 18. *Rating in the Board Examinations.* - To be qualified as having passed the Board examination for agricultural and biosystems engineers, a candidate must obtain a weighted general average of seventy percent (70%), with no grades lower than fifty-five percent (55%) in any given subject. However, an examinee who obtains a weighted general average rating of seventy percent (70%) or higher, but obtains a rating below fifty-five percent (55%) in any given subject, must retake the examination in the subject or subjects where he/she obtained a grade below fifty-five percent (55%) and must obtain a grade or grades in the said subject or subjects of not lower than fifty-five percent (55%).

SEC. 19. *Report of Ratings.* - The Board shall submit to the Commission the ratings obtained by each candidate within ten (10) days after the examination, unless extended for just cause. Upon the release of the results of the examination, the Board shall send by

mail the rating received by each examinee at his/her given address using the mailing envelope submitted during the examination.

SEC. 20. *Reexamination.* - An applicant who fails to pass the examination for the third time shall be allowed to take another examination only after the lapse of one (1) year and only after having undertaken a refresher program in a duly accredited institution. The Board shall issue guidelines on the refresher program requirement.

SEC. 21. *Oath.* - All successful candidates in the examination shall be required to take their oath before the Commission, the Board or any government official authorized to administer oaths, prior to entering upon the practice of the agricultural and biosystems engineering profession.

SEC. 22. *Issuance of Certificate of Registration and Professional Identification Card* - (a) A certificate of registration (COR) shall be issued to those who are registered after payment of fees prescribed by the Commission. It shall bear the signatures of the Chairperson of the Commission and of the Chairperson and members of the Board, stamped with the official seal of the Commission and of the Board, certifying that the person named therein is entitled to the practice of the profession, with all the privileges appurtenant thereto. Until withdrawn, revoked or suspended in accordance, with this Act, the COR shall remain in full force and effect.

(b) A professional identification card bearing the registration number and its validity and expiry dates duly signed by the Chairperson of the Commission shall likewise be issued to every registrant who has paid the prescribed fees, and has submitted a certificate of membership in good standing from the AIPO and proof of completion of the CPD requirements. The said card shall be renewed every three (3) years, subject to requirement/s as the Board may thereafter prescribe and upon proof of completion of the mandatory CPD requirements.

Once registered, the agricultural and biosystems engineer may use Engr. as the official appendage title. No person shall practice

agricultural and biosystems engineering in the country unless such person has secured a license to practice agricultural and biosystems engineering in the manner herein provided.

SEC. 23. *Refusal to Register.* - The Board shall not register any successful applicant for registration with or without licensure examination who has been:

(a) Convicted of an offense involving moral turpitude by a court of competent jurisdiction;

(b) Found guilty of immoral or dishonorable conduct by the Board;

(c) Adjudged guilty for violation of the General Instructions to Examinees by the Board;

(d) Declared of unsound mind by a court of competent jurisdiction; and

(e) Proven to be afflicted with addiction to drug or alcohol impairing one's ability to practice the profession through a finding to this effect by a medical or drug testing facility accredited by the government.

In refusing such registration, the Board shall give the applicant a written statement setting forth the reasons therefor and shall file a copy thereof in its records.

SEC. 24. *Revocation or Suspension of the Certificate of Registration and Cancellation of Temporary/Special Permit (TSP).*— The Board shall have the power, upon notice and hearing, to revoke or suspend the COR of a registered and licensed agricultural and biosystems engineer or to cancel TSP granted to a foreign agricultural and biosystems engineer, for the same grounds enumerated in Section 23 of this Act, except paragraph (c) thereof, and any of the following grounds:

(a) Violation of any provision of this Act, implementing rules and regulations, Code of Ethics, Code of Technical Standards for the practice of agricultural and biosystems engineering, and of policies and regulatory measures of the Board and/or the Commission;

(b) Perpetration or use of fraud in obtaining his/her COR, professional identification card, and TSP;

(c) Gross incompetence, negligence or ignorance in the conduct of the profession resulting to death, injury of persons and/or damage to property;

(d) Unjustified refusal to join or to remain a member in good standing of the AIPO;

(e) Unjustified or unexplained neglect or failure to pay the annual registration fees for five (5) consecutive years;

(f) Unjustified or unexplained non-renewal of the professional identification card after the lapse of five (5) consecutive years;

(g) Aiding or abetting the illegal practice of a non-registered and unlicensed agricultural and biosystems engineer by, among others, allowing him/her to use his/her COR and/or professional identification card or his/her TSP;

(h) Practicing the profession during his/her suspension from the practice thereof; and

(i) Addiction to a drug or alcohol abuse impairing his/her ability to practice his/her profession or being declared of unsound mind by a court of competent jurisdiction.

The Board shall periodically evaluate the aforementioned grounds and revise or add new ones as the need arises subject to approval by the Commission in order to meet the trends and developments in the profession.

SEC. 25. *Reissuance of Revoked COR, Replacement of Lost or Damaged COR, Professional Identification Card or Temporary/Special Permit.* - The Board may, upon petition, reinstate or reissue a revoked COR after two (2) years from the effectivity of the revocation, which is reckoned from the date of surrender of the said certificate and/or the professional identification card to the Board and/or the Commission. The Board may not require the holder thereof to take another licensure examination. The petitioner shall prove to the Board that he/she has valid reasons to resume the practice of his/her profession. For the grant of his/her petition, the Board shall issue a Board Resolution subject to approval by the Commission.

A duplicate copy of a lost COR, professional identification card or TSP may be reissued in accordance with rules thereon and upon payment of the prescribed fee therefor.

ARTICLE IV

PRACTICE OF AGRICULTURAL AND BIOSYSTEMS ENGINEERING

SEC. 26. *Vested Right.*— Automatic Registration of Practicing Agricultural and Biosystems Engineers.— All agricultural engineers who are registered under Republic Act No. 8559 at the time this Act takes effect, shall automatically be registered as agricultural and biosystems engineers.

SEC. 27. *Seal and Use of Seal* - (a) Each registrant shall, upon registration, obtain a seal of such design as the Board may adopt and prescribe. Plans and specifications prepared by, or under the direct supervision of a registered agricultural and biosystems engineer, shall be stamped with said seal during the validity of the professional license. No person shall stamp or seal any document with the seal of a registrant after his/her professional license has expired or lost its validity unless he/she has been reinstated to the practice and/or unless his/her license has been renewed.

(b) No officer or employee of the government, chartered cities, provinces and municipalities now or hereinafter charged with the enforcement of laws, ordinances or regulations relating to the implementation, construction, repair, operation and maintenance, testing and evaluation of agricultural and biosystems buildings, structures, machineries and equipment, irrigation, soil and water conservation structures and other agricultural and biosystems engineering facilities, shall accept or endorse any plans, designs, specifications or project studies which have not been prepared and submitted in full accord with the provisions of this Act, nor shall any payment be approved by any such Officer for any work, the plans and specifications of which have not been so prepared, signed and sealed by a duly registered agricultural and biosystems engineer. This provision shall be implemented by the Department of Public Works and Highways (DPWH) and Local Building Officials in the issuance of building permits and certificate of occupancy under the National Building Code, and by all concerned national government entities and local government units (LGUs) in the procurement and in the discharge of their regulatory and auditing functions pertaining to agricultural and biosystems buildings, structures, machineries and equipment, irrigation, soil and water conservation structures, and other agricultural and biosystems engineering facilities/projects.

(c) No agricultural and biosystems engineer shall sign his/her name, affix his/her seal or use any other method of signature on plans, designs, specifications or other documents made by or under another agricultural and biosystems engineer's supervision unless the same is made in such manner as to clearly indicate the part of such work actually performed by him/her, and no person, except the agricultural and biosystems engineer-in-charge shall sign for any branch of the work or any function of agricultural and biosystems engineering practice not actually performed by him/her. The agricultural and biosystems engineer-in-charge shall be fully responsible for all plans, designs, specifications and other documents issued under his/her seal or authorized signature.

The Board shall formulate, adopt and promulgate all necessary rules and regulations for the effective implementation of

the provisions relating to the design of the seal, the signing and sealing of drawings, reports and other documents by agricultural and biosystems engineers.

(d) Drawings, plans, designs and specifications duly signed, stamped or sealed as instruments of service are the property and documents of the agricultural and biosystems engineer, whether the projects for which they were made is executed or not. No person without the written consent of the agricultural and biosystems engineer or author of said documents, shall duplicate or make copies of said documents for use in the repetition of and for other projects, whether executed partly or in whole.

(e) All drawings, plans, specifications and other documents and reports to be used for the design, construction, test and evaluation, research and extension of agricultural and biosystems buildings, structures, machineries and equipment, irrigation, soil and water conservation structures and other agricultural and biosystems engineering facilities/p rejects shall be signed and sealed by a licensed agricultural and biosystems engineer.

Violation of any of the foregoing shall be ground for administrative and/or criminal action.

SEC. 28. *Indication of License Number and Professional Tax Receipt Number.* - The agricultural and biosystems engineer shall be required to indicate his/her professional license number, the duration of its validity, including the professional tax receipt number on the documents he/she signs, uses or issues in connection with the practice of his/her profession.

SEC. 29. *Firms, Partnerships, Corporations, Cooperatives, Associations and Foundations Engaged in Agricultural and Biosystems Engineering Practice.*— A firm, partnership, corporation, cooperative, association or foundation may engage in the practice of agricultural and biosystems engineering in the Philippines: *Provided*, That it complies with the following requirements:

(a) The firm, partnership, corporation, cooperative, association or foundation applies for and is issued a COR by the Board and the Commission to engage in the practice of agricultural and biosystems engineering in the Philippines: *Provided*, That the majority of the partners of the partnership are registered and licensed agricultural and biosystems engineers; *Provided, further*, That the majority of the members of the board of directors or members of corporations or cooperatives shall be registered and licensed agricultural and biosystems engineers; and

(b) The practice of the firm, partnership, corporation, cooperative, association or foundation in agricultural and biosystems engineering shall be carried out by duly registered and licensed agricultural and biosystems engineers.

SEC. 30. *Integration of Agricultural and Biosystems Engineers.*

- The agricultural and biosystems engineering profession shall be integrated into one (1) national organization registered with the Securities and Exchange Commission which shall be recognized by the Board and the Commission as the one and only integrated and accredited association of agricultural and biosystems engineers. An agricultural and biosystem engineer duly registered with the Board shall automatically become a member of the integrated and accredited association of agricultural and biosystems engineers, and shall receive the benefits and privileges appurtenant thereto upon payment of the required fees and dues. Membership in the integrated and accredited association shall not be a bar to membership in other associations of agricultural and biosystems engineers.

SEC. 31. *Foreign Reciprocity.* - No foreign agricultural and biosystems engineer shall be issued a temporary license to practice the agricultural and biosystems engineering profession or consultancy thereof or be entitled to any of the rights and privileges under this Act unless the country of which he/she is a subject or citizen specifically permits Filipino agricultural and biosystems engineers to practice within its territorial limits on the same basis as the subjects or citizens of such foreign State or country.

SEC. 32. *Temporary/Special Permits for Foreign Agricultural and Biosystems Engineers.* - The practice of foreign agricultural and biosystems engineers in the Philippines shall be limited to natural persons only and shall be governed by the provisions of Republic Act No. 8981, otherwise known as the "PRC Modernization Act of 2000": *Provided*, That any foreign national who has gained entry in the Philippines to perform professional services as an agricultural and biosystems engineer or render such services or prepare or produce such documents which are within the scope of practice of agricultural and biosystems engineering as set forth in this Act such as, but not limited to, being a consultant in foreign-funded or assisted project of the government or employed or engaged by Filipino or foreign contractors or private firms, whether or not the nomenclature of his/her profession is specifically called in his/her country of nationality as agricultural and biosystems engineer, but who does not meet or wish to comply with the requirements for admission to take the licensure examinations shall, before assuming the duties, functions and responsibilities as agricultural and biosystems engineer or consultant, secure temporary/special permit from the Board, subject to the approval of the Commission to practice his/her profession in connection with the project to which he/she was commissioned; *Provided, further*, That the following conditions are satisfied;

(a) That he/she is a citizen or subject of a country which specifically permits Filipino professionals to practice their profession within the territorial limits on the same basis as the subjects or citizens of such foreign country or State;

(b) That he/she is legally qualified to practice agricultural and biosystems engineering in his/her own country, and that his/her expertise is necessary and advantageous to the Philippines, particularly in the aspects of technology transfer and specialization; and

(c) That he/she shall be required to work with a Filipino counterpart, a natural person who is a registered and licensed agricultural and biosystems engineer, and professional services fees and expenses of documentation pertaining to the project shall

be proportionately shared by both foreign and Filipino agricultural and biosystems engineers, including liabilities and taxes due to the Philippine government, if any, relative to his/her participation therein, or professional services rendered to the project in accordance with established rules and regulations.

SEC. 33. *Positions in Government and Private Firms and Establishments with Agricultural and Biosystems Engineering Functions.*— Only registered and licensed agricultural and biosystems engineers with valid PRC license shall be appointed or designated to all positions in government and private firms and establishments with agricultural and biosystems engineering functions and responsibilities, which shall include, but not be limited to, the following:

(a) All levels of engineer positions in the Agricultural Engineering or Agricultural and Fishery Engineering and Forest Engineering Bureau/Division/Section/Unit of the Department of Agriculture (DA), LGUs, and in the Department of Agrarian Reform (DAR), the Department of Environment and Natural Resources (DENR) and other concerned government entities whose duties, functions and responsibilities constitute the practice of agricultural and biosystems engineering pursuant to Section 5 of this Act;

(b) All levels of instructor/professor positions in public and private schools, colleges and universities whose main duties and functions involve the teaching of Agricultural and Biosystems Engineering subjects for Agricultural and Biosystems Engineering Degree, Agriculture/Agribusiness Degree, Fisheries Degree and other related curriculum or degrees;

(c) All levels of science research specialist/assistant positions in government and private institutions whose main duties and functions involve research and development and training and extension on agricultural and biosystems engineering;

(d) Head or assistant head, director or manager and other executive positions of agricultural or agricultural and biosystems

or agricultural and fisheries engineering or aquaculture engineering or forest engineering group, unit, section, division, bureau, department, center and branch in all national government departments or agencies, government-owned and -controlled corporations, LGUs and colleges and universities, private offices, firms and establishments;

(e) Head or assistant head, director or manager and other executive positions of a group, unit, section, division, bureau, department, center or branch of any of the specialized areas of agricultural and biosystems engineering in government and private firms, offices and establishments;

(f) All levels of planning officer, project evaluation officer, project development officer, development management officer, environmental management specialist and technical audit specialist positions in government and private firms and offices that deal with, or undertake any of the specialized areas of agricultural and biosystems engineering or its main functions and responsibilities which involve the planning, project development, evaluation, inspection, monitoring and technical audit of agricultural and biosystems infrastructure, facilities, machineries and processes and other agricultural and biosystems engineering facilities; and

(g) All professional and sub-professional positions either supervisory or non-supervisory and career executive positions in government, and all other positions in private firms, establishments and enterprises whose duties, functions and responsibilities mainly constitute the practice of agricultural and biosystems engineering.

Moreover, registered and licensed agricultural and biosystems engineers may also qualify for appointment in all positions in government and private firms and establishments whose duties and functions partly constitute the practice of agricultural and biosystems engineering. This include, among others, Provincial/City/Municipal Engineer, Agriculturist, Building Official, Environment and Natural Resources Officer, and Planning and Development Officer of the LGUs, subject to the candidate's compliance with the

rest of the requirements imposed by the law or issuance creating the said positions.

SEC. 34. *Personnel Required* - (a) All concerned national government agencies, LGUs and SUCs implementing, regulating, funding and undertaking research, development, training and extension, testing, evaluation and inspection as well as technical audit of irrigation, farm mechanization, post harvest and agro processing facilities, agricultural and biosystems infrastructures, farm-to-market roads, agro-meteorology, forest mechanization development programs, and environmental protection and conservation programs and projects shall employ the required number of agricultural and biosystems engineers, and for this purpose, create various levels of agricultural and biosystems engineer positions;

(b) All agricultural and biosystems engineering facilities/projects supervised and maintained or accredited by the government such as grain/agro-processing complex, slaughterhouse, communal and national irrigation system, agricultural machinery and equipment service centers, and testing and evaluation centers must have at least one (1) registered and licensed agricultural and biosystems engineer;

(c) Firms, companies, partnerships, cooperatives or associations which are engaged in the installation, fabrication, manufacture, distribution or sale of agricultural and biosystems machinery and equipment, facilities and other agricultural and biosystems engineering processes, shall hire or engage the services of at least one (1) licensed agricultural and biosystems engineer;

(d) All contractors of irrigation, farm-to-market roads and agricultural and biosystems structures and facilities shall have at least one (1) registered and licensed agricultural and biosystems engineer as part of their sustaining technical employees; and (e) The following offices and establishments shall also employ or engage the services of at least one (1) or the required number of registered and licensed agricultural and biosystems engineers:

(1) Agro-processing establishments such as rice mills, feed mills, sugar mills, coconut oil mills, fiber extraction processing plants, meat processing plants, fish processing plants, poultry and meat processing plants, food processing plants and agricultural and fishery products storage facilities;

(2) Agro-industrial firms or establishments, corporations and cooperatives and government entities engaged in agricultural, livestock, poultry and fishery production and processing, the operation and maintenance of plant/forest nurseries and parks, and other agricultural and biosystems engineering endeavors;

(3) Financing and banking institutions engaged in providing credit and financial assistance on agribusinesses which are commercial in nature such as irrigation, post harvest facilities, agro-processing and storage, forest products, aquaculture, food and fiber production facilities and machineries; and

(4) Consultancy firms, foundations, nongovernment organizations and other organized groups engaged in providing agricultural and biosystems engineering services relative to management and consultancy, training and extension, research and development and/or the provision of irrigation, post harvest facilities, agro-processing and storage, forest products, aquaculture, food and fiber production facilities and machineries and soil and water conservation.

Provided, That there shall be no understaffing and/or overloading of agricultural and biosystems engineers. The ratio of agricultural and biosystems engineers to clientele shall be such as to reasonably effect a sustained quality of agricultural and biosystems engineering services at all times without overworking the agricultural and biosystems engineers.

The Board shall promulgate guidelines and standards on the required manpower complement of agricultural and biosystems engineers in concerned public and private offices and establishments.

SEC. 35. *National Career Progression and Specialization Program.* - There shall be an institutionalized national agricultural and biosystems engineering career progression and specialization program to be formulated by the Board in consultation with the AIPO, Civil Service Commission and concerned government agencies: *Provided*, That any agricultural and biosystems engineer before being allowed to work in specialty areas to perform beyond generalist function or have specific specialties, must finish the formal education or training towards specialization, possess recognized practice competencies and must be certified by the Board and must be a member of a relevant and accredited agricultural and biosystems specialty organization; *Provided, further*, That agricultural and biosystems engineering specialty organizations shall be recognized and certified by the Board.

The Agricultural and Biosystems Engineering Specialization shall include, but not limited to, the following:

- (a) Agricultural and Biosystems Power and Machinery;
- (b) Irrigation and Drainage Engineering;
- (c) Soil and Water Conservation Engineering;
- (d) Agricultural and Biosystems Buildings and Structures;
- (e) Agricultural and Bio-process Engineering;
- (f) Food Engineering;
- (g) Renewable/Bio-Energy and Farm Electrification;
- (h) Agricultural and Biological Waste Management;
- (i) Aquacultural Engineering;
- (j) Forest Engineering;

(k) Agricultural and Biosystems Automation and Instrumentation;

(l) Agricultural and Bio-Information System;

(m) Agrometeorology; and

(n) Agricultural and Biological Resource Conservation and Management.

SEC. 36. *Code of Technical Standards.* - The existing Philippine Agricultural Engineering Standards (PAES) shall be transformed into a Philippine Agricultural and Biosystems Engineering Standards (PABES) and shall serve as Code of Technical Standards of all registered and licensed agricultural and biosystems engineers in the practice of their profession. The Board, in collaboration with the AIPO of agricultural and biosystems engineers, the DA, the Department of Science and Technology (DOST), the DENR and other concerned government agencies and private organizations, shall develop new standards and update the existing standards under the PABES.

ARTICLE V

AGRICULTURAL AND BIOSYSTEMS ENGINEERING EDUCATION AND CONTINUING PROFESSIONAL EDUCATION/ DEVELOPMENT

SEC. 37. *Curriculum Development and Updating.* - The CHED, in consultation with the Board and the industry stakeholders and concerned SUCs, shall develop and continuously update the Agricultural and Biosystems Engineering Curriculum in accordance with required competencies on the practice of the profession prescribed under this Act, in order to align with international standards of agricultural and biosystems engineering education and practice, and to become responsive to the industry requirements.

The Technical Education and Skills Development Authority (TESDA) shall likewise include in its program, the development and promulgation of competency standards and training programs and regulations for agricultural and biosystems engineering technicians and operators.

SEC. 38. *Rationalization and Upgrading Program.* - The CHED in collaboration with the Board, the DA, the DENR, the DOST, the TESDA, the concerned SUCs and the Department of Education (DepEd) and in consultation with the industry stakeholders, shall formulate and implement a rationalization and upgrading program on agricultural and biosystems engineering education in the country with the end view of upgrading and modernizing school facilities and equipment, faculty development and training, provision of scholarships, developing ladderized program on agricultural and biosystems engineering and other developmental undertakings to produce globally competitive agricultural and biosystems engineering graduates, professionals, technicians and operators.

In line with this, all concerned Higher Education Institutions (HEIs) shall formulate and implement their Agricultural and Biosystems Engineering Education Competitiveness Road Map as part of the Philippine Agricultural and Biosystems Engineering Profession Development Plan/Road Map and shall serve as one of the basis in the provision of grants from the government for the upgrading program.

SEC. 39. *Career Guidance and Advocacy.* - The Board and the Commission, in collaboration with the DOLE, the Philippine Overseas Employment Administration, the CHED, the DepEd, the DA, the DENR, the Department of Trade and Industry, the AIPO and other concerned government agencies and private organizations, shall formulate and implement a Career Guidance and Advocacy Program on Agricultural and Biosystems Engineering. The Program shall include the conduct of research studies on the supply and demand and qualifications of the agricultural and biosystems engineering profession, both local and abroad, employment promotion and entrepreneurship assistance for Filipino agricultural and

biosystems engineers, and integration of the practical application of agricultural and biosystems engineering in basic education.

SEC. 40. *Continuing Professional Development (CPD)*. - The Board and the Commission, in consultation with the academe, AIPO, concerned government agencies and stakeholders, shall prescribe guidelines in the implementation of the CPD programs for agricultural and biosystems engineers. The CPD for every agricultural and biosystems engineer registered under the PRC is hereby made mandatory for the practice of the profession. The CPD credit units earned by the professional shall be required in the renewal of professional license and accreditation systems for advance level of practice and for ASEAN Chartered Professional Engineers, Asia-Pacific Economic Cooperation (APEC) Engineers and other international accreditations.

The CPD credit units earned by an agricultural and biosystems engineer shall likewise be applied as the training requirement for promotion for positions in government agencies and private firms and for teaching positions in academic institutions, and shall be accumulated subject to credit transfer under the Pathways and Equivalencies of the Philippine Qualification Framework.

ARTICLE VI

ENFORCEMENT OF THIS ACT AND PENAL PROVISIONS

SEC. 41. *Enforcement*. - It shall be the primary duty of the Commission and the Board to effectively implement and enforce the provisions of this Act and its implementing rules and regulations, conduct investigations on complaints including violations of the Code of Ethics and Professional Standards of the profession and prosecute the same when so warranted.

Furthermore, all duly constituted law enforcement agencies and offices of national, provincial, city or municipal government, or of any political subdivision thereof, shall, upon the call or request of the Board or the Commission, render assistance in enforcing

the provisions of this Act and prosecute any person violating the provisions of the same. Any person may bring before the Commission, Board, or the aforementioned officers of the law, cases of illegal practice or violations of this Act committed by any person or party.

The Board shall assist the Commission in filing the appropriate charges through the concerned prosecution office in accordance with law and Rules of Court.

SEC. 42. *Penalties.* - In addition to the administrative sanctions imposed under this Act, any person who violates any of the provisions of this Act, or any of the following acts shall, upon conviction, be penalized by a fine of not less than one hundred thousand pesos (₱100,000.00) but not more than five hundred thousand pesos (₱500,000.00), or imprisonment of not less than six (6) months but not more than five (5) years, or both fine and imprisonment, at the discretion of the court:

(a) Engaging in the practice of agricultural and biosystems engineering in the Philippines without being registered or without conforming to the provisions of this Act;

(b) Presenting or attempting to use as his/her own the COR and/or professional identification card of another registered agricultural and biosystems engineer or a holder of a TSP;

(c) Giving any false or forged evidence of any kind to the Board, or impersonating any registered agricultural and biosystems engineer or a holder of a TSP;

(d) Using a revoked or suspended COR; or an expired or unrenewed professional identification card or TSP;

(e) Using in connection with his/her name or otherwise assuming, using or advertising any title or description tending to convey the impression that he/she is an agricultural and biosystems engineer without holding a valid COR and professional identification card or a valid TSP;

(f) Implementing or causing the implementation of any plans, designs, technical specifications and other documents not prepared and signed by a registered agricultural and biosystems engineer in those cases where this Act specifically requires that these be prepared and signed by a registered agricultural and biosystems engineer; and

(g) Violating any of the provisions of this Act and the rules and regulations thereof.

In case the offender is a corporation, partnership, association, foundation or juridical person, the penalty of imprisonment shall be imposed on the agricultural and biosystems engineer-in-charge jointly and solidarity with the responsible professionals, as well as the controlling officer or officers thereof responsible for permitting or causing the violation.

ARTICLE VII

TRANSITORY AND FINAL PROVISIONS

SEC. 43. *Transitory Provision.* - The incumbent Chairperson and members of the Board shall, in an interim capacity, continue to carry out their functions under the provisions of this Act without need for new appointments as Chairperson and members thereof until the first Board, created under this Act, shall have been constituted or organized pursuant thereto.

SEC. 44. *Implementing Rules and Regulations.* - Subject to the approval of the Commission, the Board shall adopt and promulgate such rules and regulations to carry out the provisions of this Act, which shall be effective after sixty (60) days following its publication in the *Official Gazette* or in a major daily newspaper of general circulation in the country.

SEC. 45. *Separability Clause.* - If any clause, provision, paragraph or part hereof shall be declared unconstitutional or invalid, such judgment shall not affect, invalidate or impair any

other part hereof, but such judgment shall be merely confined to the clause, provision, paragraph or part directly involved in the controversy in which such judgment has been rendered.

SEC. 46. *Repealing Clause.* - All laws, decrees, executive orders and other administrative issuances and parts thereof which are inconsistent with the provisions of this Act are hereby modified and/or superseded. Republic Act No. 8559 is hereby expressly repealed.

SEC. 47. *Effectivity.* - This Act shall take effect after fifteen (15) days following its publication in the *Official Gazette* or in a major daily newspaper of general circulation in the Philippines, whichever comes first.

Approved,

(Sgd.) FELICIANO BELMONTE JR. (Sgd.) FRANKLIN M. DRILON
Speaker of the House *President of the Senate*
of Representatives

This Act was passed by the Senate of the Philippines as Senate Bill No. 2434 on February 16, 2016 and adopted by the House of Representatives as an amendment to House Bill No. 6421 on May 23, 2016.

(Sgd.) MARILYN B. BARUA-YAP (Sgd.) OSCAR G. YABES
Secretary General *Secretary of the Senate*
House of Representatives

Approved:

BENIGNO S. AQUINO III
President of the Philippines

Lapsed into law on JUL 21 2016 without the signature of the President, in accordance with Article VI, Section 27(1) of the Constitution.

RA 10915 repealed RA 8559.

S. No. 1578
H. No. 6775

Republic of the Philippines
CONGRESS OF THE PHILIPPINES
Metro Manila

Seventeenth Congress
Third Regular Session

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

REPUBLIC ACT NO. 11201

AN ACT CREATING THE DEPARTMENT OF HUMAN SETTLEMENTS AND URBAN DEVELOPMENT, DEFINING ITS MANDATE, POWERS AND FUNCTIONS, AND APPROPRIATING FUNDS THEREFOR

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

CHAPTER I

TITLE AND DECLARATION OF POLICY

SECTION 1. *Short Title.* - This Act shall be known as the “Department of Human Settlements and Urban Development Act”.

SEC. 2. *Declaration of Policy.* - The State shall, pursuant to Section 9, Article XIII of the Constitution, ensure that underprivileged and homeless citizens have access to an adequate, safe, secure, habitable, sustainable, resilient and affordable home. The State shall, by law and for the common good, undertake, in cooperation with the private sector, a continuing program of housing and urban development which shall make available at affordable cost, decent housing and basic services to underprivileged and

homeless citizens in urban centers and resettlement areas. It shall also promote adequate employment opportunities to such citizens. In the implementation of the program, the State shall respect the rights of small property owners.

The State shall pursue the realization of a modern, humane, economically-viable, and environmentally-sustainable society where the urbanization process is manifest in towns and cities being centers of productive economic activity and is led by market forces; where urban areas have affordable housing, sustainable physical and social infrastructure and services facilitated under a democratic and decentralized system of governance; and where urban areas provide the opportunities for an improved quality of life and the eradication of poverty.

The State shall ensure that poor dwellers in urban and rural areas shall not be evicted nor their dwelling demolished, except in accordance with law.

In addition, the State shall encourage on-site development in the implementation of housing programs and shall promote the creation of new settlements and development of sustainable urban renewal programs while guaranteeing the preservation of agricultural lands necessary for food security.

CHAPTER II

DEFINITION OF TERMS

SEC. 3. *Definition of Terms.* - As used in this Act, the following terms are defined as follows:

(a) *Abandoned subdivision or condominium* refers to a project whose development has not been completed in accordance with the approved development plan despite the lapse of at least ten (10) years from the target date of completion and it appears that said project owner or developer has no intention to complete the project

development or, despite diligent effort for at least the last five (5) years, the project owner or developer cannot be located;

(b) *Comprehensive Land Use Plan (CLUP)* refers to the document, formulated by the local government in consultation with its stakeholders, that defines or provides guidelines on the allocation, utilization, development and management of all lands within a given territory or jurisdiction according to the inherent qualities of the land itself and supportive economic, demographic, socio-cultural and environmental objectives;

(c) *Housing* refers to a multi-dimensional concept relating to the process of residing and the objects of dwelling whose main attributes are location relative to access to livelihood, tenure arrangements, cost and physical structure, as well as their environment. Housing is likewise a physical structure as well as a social structure, functioning at different spatial scales from homes, neighborhoods, communities, municipalities, cities, provinces, and regions. It is also a sector of the economy, an important category of land use in both urban and rural areas, especially in cities, and is an important factor in the overall dynamics of the urban system;

(d) *Human Settlements* comprise of (a) physical components of shelter and infrastructure; and (b) services to which the physical elements provide support, such as community services which include education, health, culture, welfare, recreation and nutrition;

(e) *Informal Settler Families (ISFs)* refer to households living in a lot, whether private or public, without the consent of the property owner; or those without legal claim over the property they are occupying; or those living in danger areas such as esteros, railroad tracks, garbage dumps, riverbanks, shorelines, and waterways;

(f) *People's plan* refers to the plan formulated by the beneficiary-association, which shall contain a site development plan that conforms to the CLUP of the local government unit under whose jurisdiction the project site is proposed to be located, including community health, sanitation, and security plans, as well

as non-physical development components such as self-help housing cooperative, livelihood, self-help development, capability building, and a system of allocation of socialized housing units that promote and protect the welfare of the elderly, persons with disability, and children;

(g) *Public housing* is housing that is owned and/or managed by the government for the purpose of providing housing to underserved families;

(h) *Urban Development* refers to the process of occupation and use of land or space for activities such as residential, industrial, commercial and the like or their combinations, necessary to carry out the functions of urban living. It entails the building or rebuilding of more or less permanent structures over land that is often withdrawn or converted from its original use, resulting in the creation of a built environment; and

(i) *Urban Development Planning* refers to the process that involves the planning of diverse elements that comprise an urbanizing and urbanized area, including its physical infrastructure, environment, housing, transportation and management of land use and urban growth.

CHAPTER III

DEPARTMENT OF HUMAN SETTLEMENTS AND URBAN DEVELOPMENT

SEC. 4. *Creation and Mandate of the Department of Human Settlements and Urban Development.* - There is hereby created the Department of Human Settlements and Urban Development, hereinafter referred to as the Department, through the consolidation of the Housing and Urban Development Coordinating Council (HUDCC) and the Housing and Land Use Regulatory Board (HLURB). The Department shall act as the primary national government entity responsible for the management of housing, human settlement and urban development. It shall be the sole and

main planning and policy-making, regulatory, program coordination, and performance monitoring entity for all housing, human settlement and urban development concerns, primarily focusing on the access to and the affordability of basic human needs. It shall develop and adopt a national strategy to immediately address the provision of adequate and affordable housing to all Filipinos, and shall ensure the alignment of the policies, programs, and projects of all its attached agencies to facilitate the achievement of this objective.

SEC. 5. *Powers and Functions.* - The Department shall exercise the following powers and functions:

I. Policy Development, Coordination, Monitoring and Evaluation

(a) Formulate a national housing and urban development policies, strategies and standards that are consistent with the Philippine Development Plan to promote social and economic welfare, in coordination and in consultation with national and local stakeholders, local government units (LGUs), and other government agencies;

(b) Formulate housing finance and production policies, recommend and facilitate the development of mechanisms that promote the establishment of a self-sustaining housing finance and housing delivery systems in coordination with the relevant agencies;

(c) Formulate housing policies and programs, such as public housing, in coordination with the attached agencies, for the homeless and underprivileged families;

(d) Conduct continuing and comprehensive studies and research necessary for housing and urban development;

(e) Formulate a framework for resilient housing and human settlements as a basis for the mechanisms for post-disaster housing and resiliency planning, research and development, extension,

monitoring and evaluation of programs, projects and activities to protect vulnerable communities from the adverse effects of climate change and disasters; and

(f) In the exercise of its oversight functions, develop and establish a sector performance monitoring and assessment mechanism to accurately and independently report on the performance of national government agencies and LGUs involved in the housing and urban development.

II. Environmental, Land Use and Urban Planning and Development

(a) Develop and maintain a shelter and urban development management, standards and monitoring information system which shall include, but not be limited to, the following data sets: inventory of idle lands, CLUPs, inventory of housing stocks, and list of beneficiaries: *Provided*, That notwithstanding this provision, all existing CLUPs duly approved and being implemented by the LGUs shall remain in full force and effect for the duration of the period as stated therein: *Provided, further*, That upon enactment of this Act, LGUs may improve, amend and enhance their existing CLUPs in accordance with the standards set by the Department;

(b) Provide technical assistance to provinces, cities and municipalities in building their capability to undertake housing and urban development and management, such as, but not limited to: creating a Local Housing Board (LHB) or similar entity; formulating CLUPs and local shelter plans (LSPs); and strengthening local government compliance with housing and urban development laws, standards and guidelines;

(c) Assist the LGUs in the utilization of the socialized housing tax, as provided in Section 43 of Republic Act No. 7279, and other sources of funds for housing which shall be exclusively used for new settlement projects, and other housing, urban development and renewal projects;

(d) Own and administer government-owned lands, whether owned by the national government or any of its subdivisions, instrumentalities, or agencies, including government-owned or -controlled corporations (GOCCs) and their subsidiaries, which have not been used for the purpose for which they have been originally reserved or set aside for at least ten (10) years and identified by the Department as suitable for urban development, particularly for housing purposes: *Provided*, That the lands held in trust by the GOCCs for and on behalf of their members shall be excluded from the coverage hereof;

(e) Formulate and prescribe land use planning and zoning standards and regulations for the guidance of cities and municipalities in the formulation of their respective CLUPs; and

(f) Develop and implement a comprehensive plan for the establishment of government centers in the country.

III. Housing and Real Estate Development Regulation

(a) Develop mechanisms and implement programs, in coordination with attached agencies and concerned agencies, that will initiate and promote the establishment of estate and new towns, new settlements, urban renewal programs, and prototypes of housing and urban development interventions, including the people’s plan approach, while encouraging the participation therein of local government partnerships with civil society organizations, nongovernment organizations, private groups and communities;

(b) Manage and oversee the development of proclaimed socialized and economic housing sites, including the use of these land assets as resource mobilization strategy to raise alternative resources in developing new housing projects and efficient financing programs, either by itself or through its attached agencies;

(c) Implement a single regulatory system that shall govern all activities relative to the planning, production, marketing, and management of housing and urban development projects; and

(d) Take over unfinished, incomplete or abandoned licensed real estate development projects under Presidential Decree No. 957, in coordination with the appropriate government agencies and instrumentalities, under such guidelines as may be formulated. Further, the Department shall be in charge of regulating the use of road and street systems of projects taken over under this provisions.

IV. Homeowners Association and Community-Development

(a) Register, regulate and supervise the homeowners associations (HOAs) in subdivision projects and government housing projects;

(b) Provide technical assistance to encourage housing cooperatives and civil society organizations to serve as the implementing agencies of their housing and urban development programs;

(c) Promote and encourage partnerships between the government and private sectors for the provision of decent housing, suitable living environment, and expanded economic opportunities specially for the homeless and underprivileged citizens; and

(d) Effect and oversee a single regulatory system that shall govern all activities relative to the planning, development, production, marketing, and management of housing and urban development projects, without encroaching on the jurisdiction of other agencies.

V. General Powers

(a) Enter into contracts, joint venture agreements or understanding, public-private partnerships, and memoranda of agreement or understanding, either domestic or foreign, under such terms and conditions as the Department may deem proper and reasonable subject to existing laws;

(b) Receive, take and hold by bequest, device, gift, purchase or lease, either absolutely or in trust for any of its purposes from foreign and domestic sources, any asset, grant or property, real or personal, subject to such limitations provided under existing laws and regulations;

(c) Discharge all responsibilities of government that may arise from treaties, agreements and other commitments on human settlement and urban development to be extended through bilateral or multilateral loans and/or assistance programs;

(d) Determine, fix and collect reasonable amounts to be charged as fees and charges necessary for the effective implementation of all laws, rules and regulations enforced by the Department and impose reasonable fines and penalties for violation thereof: *Provided, however,* That all income generated from fees, fines, charges, and other collections shall be deposited with the National Treasury as income of the general fund;

(e) Recommend new legislation and amendments to existing laws as may be necessary for the attainment of government's objectives in housing;

(f) Promote, accredit and regulate the use of indigenous materials and technologies in the housing construction;

(g) Implement prototype projects in housing and urban development undertakings, with the right to exercise the power of eminent domain, when necessary;

(h) Open roads of subdivisions to the public when the general welfare requires it upon consultation with stakeholders; and

(i) Perform such other related functions as may be mandated by law.

SEC. 6. *Composition.* - The Department shall be composed of the Office of the Secretary, and the various bureaus, services and

regional offices. The Office of the Secretary shall house the Office of the Department Secretary, the Offices of the Undersecretaries, the Offices of the Assistant Secretaries, and their immediate support staff.

SEC. 7. *The Secretary.* - The Secretary shall have the following functions:

(a) Advise the President of the Philippines on matters related to housing, human settlements, and rural and urban development;

(b) Establish policies and standards for the efficient and effective operations of the Department in accordance with programs of the government;

(c) Promulgate rules, regulations and other issuances necessary in carrying out the Department's mandate, objectives, policies, plans, programs and projects;

(d) Exercise control and supervision, including disciplinary powers over officers and employees of the Department in accordance with law, including their investigation and the designation of a committee or officer to conduct such investigation;

(e) Exercise control and supervision, including disciplinary powers over officers and employees of the attached agencies in accordance with law, including their investigation and the designation of a committee or officer to conduct such investigation;

(f) Designate and appoint officers and employees of the Department, excluding the Undersecretaries, Assistant Secretaries, and Regional and Assistant Regional Directors, in accordance with the civil service laws, rules and regulations;

(g) Coordinate with other agencies and instrumentalities of the government to ensure the effective and efficient implementation of housing and urban development programs;

(h) Formulate such rules and regulations and exercise such other powers as may be required to implement the objectives of this Act; and

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

The Secretary shall also serve as a voting member of the National Economic and Development Authority (NEDA) Board, the governing Boards of the Climate Change Commission (CCC), the National Disaster Risk Reduction and Management Council (NDRRMC), and the National Land Use Committee (NLUC).

SEC. 8. *The Undersecretaries and Assistant Secretaries.* - The Secretary shall be assisted by three (3) Undersecretaries and three (3) Assistant Secretaries, who shall be appointed by the President, upon the recommendation of the Secretary: *Provided*, That at least one (1) Undersecretary and one (1) Assistant Secretary shall be career officers. They shall have the powers and functions as provided for in Chapter 2, Book IV of the Administrative Code of 1987. The Secretary is further authorized to delineate and assign other functional areas or responsibilities of the Undersecretaries and Assistant Secretaries.

SEC. 9. *Qualifications and Appointment.* - No person shall be appointed Secretary, Undersecretary and Assistant Secretary of the Department unless he or she is a citizen and resident of the Philippines, of good moral character, of proven integrity, competence and expertise in housing, urban planning and development.

SEC. 10. *Department Bureaus and Regional Offices.* - The Department shall establish, operate, and maintain Bureaus under it such as. but not limited to:

(a) Environmental, Land Use and Urban Planning and Development;

(b) Housing and Real Estate Development Regulation; and

(c) Homeowners Associations and Community Development.

As may be necessary, a regional office may be established in the administrative regions of the country.

SEC. 11. *Structure and Staffing Pattern.* - Subject to the approval of the Department of Budget and Management (DBM), the Secretary shall determine the organizational structure and create new divisions or units as may be necessary, and appoint officers and employees of the Department and the Commission hereinafter created under Section 12 in accordance with the civil service laws, rules and regulations. The remuneration structure of the position in the staffing pattern shall strictly conform to Republic Act No. 6758, otherwise known as the Salary Standardization Law, as amended.

CHAPTER IV

HUMAN SETTLEMENTS ADJUDICATION COMMISSION

SEC. 12. *Reconstitution of the HLURB as the Human Settlements Adjudication Commission (HSAC).* - The HLURB is hereby reconstituted and shall henceforth be known as the Human Settlements Adjudication Commission, hereinafter referred to as the "Commission".

The adjudicatory function of the HLURB is hereby transferred to the Commission and shall be attached to the Department for policy, planning and program coordination only.

SEC. 13. *Composition, Staffing Pattern and Compensation.* -

(a) The Commission shall be composed of the following:

(1) Commission en banc – Five (5) Commissioners appointed by the President shall comprise the Commission.

The Executive Commissioner, chosen by the President from among the five (5) Commissioners, shall be responsible for the administration and operations of the Commission, including the supervision of personnel, and shall be assisted by the Executive Clerk of the Commission.

(2) Regional Adjudication Branch – There shall be as many Regional Adjudication Branches as there are Regional Offices of the Department. The President shall appoint as many Regional Adjudicators as may be necessary upon the recommendation of the Secretary.

(b) Subject to the approval of the DBM, the Commission shall determine its organizational structure and create new divisions or units as it may deem necessary, and shall appoint officers and employees of the Commission in accordance with the civil service laws, rules and regulations. The remuneration structure of the positions in the staffing pattern shall strictly conform to Republic Act No. 6758 or the Salary Standardization Law, as amended.

SEC. 14. *Qualifications and Terms of Office.* - The qualifications and terms of office are as follows:

(a) Commissioner – Each Commissioner must be a natural born citizen of the Philippines, of good moral character and has been engaged in the practice of law and a member of the Philippine Bar of good standing for a period of at least ten (10) years prior to the appointment: *Provided*, That all nominees shall have experience in urban development planning, sustainable development, climate change adaptation, disaster risk reduction and/or real estate development.

Each Commissioner shall hold office for six (6) years. In case of death, permanent disability, removal from office, resignation and incapacity to discharge the duties of office, the person appointed as Commissioner shall only serve the unexpired term: *Provided*, That the term of office of the incumbent Commissioners shall be respected.

(b) Regional Adjudicator – Each Regional Adjudicator must be a citizen of the Philippines, of good moral character, has been in the practice of law and member of the Philippine Bar of good standing for at least seven (7) years, with at least three (3) years' experience in realty and/or land use and development cases, prior to the appointment: Provided, That the existing HLURB Arbiters are deemed qualified.

Each Regional Adjudicator shall hold office on good behavior until otherwise incapacitated or has reached the retirement age in accordance with law, rules and regulations promulgated by duly constituted authorities, whichever comes earlier.

SEC.15. *Jurisdiction of the Commission.* - The Commission shall have the exclusive appellate jurisdiction over:

(a) All cases decided by the Regional Adjudicators; and

(b) Appeals from decisions of local and regional planning and zoning bodies.

The decision of the Commission shall be final and executory after fifteen (15) calendar days from receipt thereof by the parties.

SEC. 16. *Jurisdiction of Regional Adjudicators.* - The Regional Adjudicators shall exercise original and exclusive jurisdiction to hear and decide cases involving the following:

(a) Cases involving subdivisions, condominiums, memorial parks and similar real estate developments:

(1) Actions concerning unsound real estate business practices filed by buyers or homeowners against the project owner or developer, which cause prejudice to the buyers or committed with bad faith and disregard of the buyers' rights;

(2) Claims for refund, and other claims filed by subdivision lot or condominium unit buyer against the project owner, developer,

dealer, broker or salesman: *Provided*, That when the cause of action arises from the buyer's rights under Section 23 of Presidential Decree No. 957 and the purchase price of the property is paid through a housing loan from a bank or other financing institutions, the latter shall be impleaded as necessary party;

(3) Cases involving specific performance or contractual and statutory obligations arising from the sale of the lot or unit and development of the subdivision or condominium project;

(4) Disputes involving the open spaces or common areas and their use filed by the project owner or developer or the duly registered HOA, including the eviction of informal settlers therein, in accordance with the requirements of law, and the rules and regulations promulgated by duly constituted authorities;

(5) Suits to declare subdivision, condominium or other real estate developments within the regulatory jurisdiction of the Department as abandoned, as defined under Section 3 of this Act for the purpose of Section 35 of Presidential Decree No. 957;

(6) Disputes involving easements within or among subdivision projects; and

(7) Actions to annul mortgages executed in violation of Section 18 of Presidential Decree No. 957 filed by a subdivision lot or condominium unit buyer against the project owner and/or developer and the mortgagee.

(b) Cases involving Homeowners Associations:

(1) Controversies involving the registration and regulation of HOAs;

(2) Intra-association disputes or controversies arising out of the relations between and among members of HOAs; between any or all of them and the HOA of which they are members;

(3) Inter-association disputes or controversies arising out of the relations between and among two (2) or more HOAs between and among federations and other umbrella organizations, on matters pertaining to the exercise of their rights, duties and functions; and

(4) Disputes between such HOA and the State, insofar as it concerns their individual franchise or right to exist and those which are intrinsically connected with the regulation of HOAs or dealing with the internal affairs of such entity.

(c) Disputes involving the implementation of Section 18 of Republic Act No. 7279, as amended, and its Implementing Rules and Regulations.

(d) Disputes or controversies involving laws and regulations being implemented by the Department except those cases falling within the jurisdiction of other judicial or quasi-judicial body.

SEC. 17. *Powers and Authorities of the Commission.* - The Commission shall have the power and authority:

(a) To promulgate rules and regulations governing the hearing and disposition of cases before it and its Adjudicators, as well as those necessary to carry out its functions;

(b) To administer oaths, summon the parties to a controversy, issue subpoenas requiring the attendance and testimony of witnesses or the production of such books, papers, contracts, records, statements of accounts, agreements, and others as may be material to a just determination of the case;

(c) To hold any person in contempt directly or indirectly and impose appropriate penalties therefore in accordance with law.

Any person committing any act of misbehavior in the presence of or so near any member of the Commission or any Adjudicator as to obstruct or interrupt the proceedings before the same, including disrespect toward said officials, offensive acts toward others, or

refusal to be sworn, or to answer as a witness or to subscribe an affidavit or deposition when lawfully required to do so, may be summarily adjudged guilty of direct contempt by said officials and shall be punished by a fine not exceeding Five thousand pesos (₱5,000.00) or imprisonment not exceeding five (5) days, or both if it be committed against the Commission or any member thereof; and, if the offense is committed against an Adjudicator, it shall be punishable by a fine not exceeding One thousand pesos (₱1,000.00) or imprisonment not exceeding one (1) day, or both.

The person adjudged in direct contempt by the Adjudicator may appeal to the Commission and the execution of the judgment shall be suspended pending the resolution of the appeal upon the filing by such person of a bond on condition that he/she will abide by and perform the judgment of the Commission should the appeal be decided against him/her. Judgment of the Commission on direct contempt is immediately executory and unappealable. Indirect contempt shall be dealt with by the Commission or Adjudicator in the manner prescribed under Rule 71 of the Revised Rules of Court (ROC).

(d) To enjoin or restrain, after due notice and hearing, any actual or threatened commission of any or all prohibited or unlawful acts or to require the performance of a particular act in any dispute within its jurisdiction which, if not restrained or performed forthwith, may cause grave or irreparable damage to any party or render ineffectual any decision in favor of such party. In no case shall a temporary or permanent injunction be issued except after a finding of fact by the Commission, to the effect that:

(1) Prohibited or unlawful acts have been threatened and will be committed and will be continued unless restrained, but no injunction or temporary restraining order shall be issued on account of any threat, prohibited or unlawful act, except against the person or persons, association or organization making the threat or committing the prohibited or unlawful act or actually authorizing or ratifying the same after actual knowledge thereof;

(2) Substantial and irreparable injury to complainant's property will follow;

(3) As to each item of relief to be granted, greater injury will be inflicted upon complainant by the denial of relief than will be inflicted upon defendants by the granting of relief;

(4) Complainant has no adequate remedy at law; and

(5) Public officers charged with the duty to protect complainant's property are unable or unwilling to furnish adequate protection.

(e) To exercise such other powers as are implied, necessary, or incidental to carry out the express powers granted to the Commission.

SEC. 18. *Appeals.* - Decisions, awards or orders of the Regional Adjudicators shall be final and executory unless appealed to the Commission within fifteen (15) calendar days from receipt of such decisions, awards or orders.

The decision of the Commission upon any disputed matter may be brought upon to the Court of Appeals in accordance with Rule 43 of the Rules of Court.

SEC. 19. *Execution of Decisions, Orders or Awards.* - The Commission or any Regional Adjudicator may, motu proprio or on motion of any interested party and under such rules as may be duly promulgated, issue a writ of execution on an order, award or judgment within five (5) years from the date it becomes final and executory, and by independent action for the enforcement of the order, award or decision filed with the Regional Adjudication Branch which issued the order, award or decision.

The Commission shall appoint a Sheriff or such number of Sheriffs, in accordance with the provisions of the civil service laws, rules and regulations, who shall be responsible for the service and

execution of all writs, summonses, and orders and other processes of the Commission.

The Commission may designate special sheriffs and take any measure under existing laws to ensure compliance with their decisions, orders or awards.

SEC. 20. *Criminal Prosecution.* - The criminal prosecution for violation of housing laws and regulations shall be instituted before criminal courts having appropriate jurisdiction.

CHAPTER V

NATIONAL HUMAN SETTLEMENTS BOARD

SEC. 21. *Creation of a National Human Settlements Board.*
- The powers and functions of the attached agencies with respect to policy and program development shall be exercised by a single Board of Trustees, known as the National Human Settlements Board, hereinafter referred to as the Board, with the Secretary of the Department as Chairperson and the following as members:

(a) The Director General of NEDA or his/her designated Deputy Secretary General;

(b) The Secretary of Finance or his/her duly designated Undersecretary;

(c) The Secretary of Budget and Management or his/her duly designated Undersecretary;

(d) The Secretary of Department of Public Works and Highways or his/her duly designated Undersecretary;

(e) The Secretary of the Interior and Local Government or his/her duly designated Undersecretary; and

(f) The Head of each attached agency of the Department.

Provided, That the Home Development Mutual Fund's corporate powers and functions shall continue to be exercised by its own Board of Trustees, as provided for under Republic Act No. 9679.

CHAPTER VI

ATTACHED CORPORATIONS

SEC. 22. *Attached Corporations.* - The Department shall exercise administrative supervision over the following housing agencies, which shall remain to be attached for purposes of policy and program coordination, monitoring and evaluation:

- (a) National Housing Authority (NHA);
- (b) National Home Mortgage Finance Corporation (NHMFC);
- (c) Home Development Mutual Fund (HDMF); and
- (d) Social Housing Finance Corporation (SHFC).

The attached corporations shall continue to function according to existing laws and their respective Charters, subject to the policy directions of the Board.

The appointment of the Board of Directors or Trustees of the attached GOCCs shall be in accordance with Republic Act No. 10149, otherwise known as the "GOCC Governance Act of 2011". However, each of the heads of the attached corporations shall enter into a performance contract annually with the Secretary in accordance with their respective mandates, which shall be consistent with the national targets on human settlements and urban development, and the overall administration of the corporation.

Furthermore, within two (2) years from the effectivity of this Act, the Secretary, in coordination with the Governance Commission for GOCCs (GCG), shall recommend to the President,

the restructuring of the foregoing corporations guided by the objectives found hereunder:

(a) To eliminate overlaps, if any, in programs, within and among the attached corporations, that serve the same beneficiaries or clientele;

(b) To identify functions and programs of corporations that properly belong to regular government agencies such as policymaking, regulation, standard setting, and service provision from functions that are imbued with commercial motives which require a corporate structure. Thereafter, line functions shall be transferred to the Department while commercial functions shall be retained with the corporations;

(c) To clarify the role of each corporation along the housing value chain, including housing production, primary financing, secondary market development, and housing insurance and guarantee to promote the development of a comprehensive and synergetic housing industry; and

(d) To strengthen integration of functions, programs, and services among the corporations and the Department to leverage limited public resources and maximize the value of housing products and services offered by the public sector.

Any reorganization, merger, streamlining, abolition or privatization of any attached corporation shall be formulated and implemented in coordination with the GCG and in consultation with the GOCC concerned and the relevant provisions of Republic Act No. 10149.

CHAPTER VII

OTHER PROVISIONS

SEC. 23. *Housing One-Stop Processing Centers (HOPCs)*. - The Department shall establish HOPCs in the regions, which shall

centralize the processing and issuance of all required housing-related permits, clearances, and licenses in accordance with Executive Order No. 45, series of 2001, entitled "Prescribing Time Periods for Issuance of Housing Related Certifications, Clearances and Permits, and Imposing Sanctions for Failure to Observe the Same": *Provided*, That for the foregoing purpose, the respective ceilings for socialized, low cost/economic and middle-income housing shall be jointly determined by the Department and NEDA: *Provided, further*, That at any time, but not more than once every two (2) years, such ceilings may be reviewed or revised to conform to prevailing economic conditions.

All agencies involved in the issuance of said permits, clearances and licenses shall be represented in the HOPC and shall assign to HOPC regional centers personnel who shall be sufficiently authorized to process and issue the same.

SEC. 24. Identification and Designation of Lands for Housing and Urban and Rural Development. - For the purpose of designating lands for housing and urban and rural development, the Department of Human Settlements and Urban Development (DHSUD), the Department of Environment and Natural Resources (DENR), the Department of Agrarian Reform (DAR), the Department of Agriculture (DA), the Department of the Interior and Local Government (DILG), and the Land Registration Authority (LRA) shall, within one hundred eighty (180) days from the effectivity of this Act, jointly identify government lands suitable for housing and rural development: *Provided*, That all government lands which have been idle for more than ten (10) years, except lands owned by the GOCCs and government financial institutions engaged in shelter financing as part of its fiduciary obligation to its members and/or are taken possession of in their ordinary conduct of business, are hereby prioritized for housing and urban development purposes: *Provided, further*, That lands exempted from conversion under existing laws shall be excluded from the coverage of this section: *Provided, finally*, That the national lands identified under this section shall be transferred to or administered by the Department, subject to the approval of the President.

CHAPTER VIII

TRANSITORY PROVISIONS

SEC. 25. *Transfer of Functions and Assets.* - The HUDCC and the HLURB are hereby consolidated and reconstituted as the Department and HSAC, respectively.

The following functions of the HLURB are hereby transferred as stipulated hereunder:

(a) The land use planning and monitoring function, including the imposition of penalties for noncompliance to ensure that LGUs will follow the planning guidelines and implement their CLUPs and zoning ordinances shall be transferred to the Department;

(b) The regulatory function, including the formulation, promulgation, and enforcement of rules, standards and guidelines over subdivisions, condominiums and similar real estate developments, are hereby transferred to the Department;

(c) The registration, regulation and supervision of HOAs are hereby transferred to the Department; and

(d) The adjudicatory mandate is hereby transferred to the Commission.

The Department shall, by virtue of this Act, be subrogated to all rights and assume all the liabilities of the HUDCC and HLURB, except those that may hereafter be transferred to or absorbed by the Commission.

SEC. 26. *Transition Period.* - All transfer of functions, assets, funds, personnel, equipment, properties, transactions, and personnel in the affected national government agencies and the formulation and implementation of the internal organic structures, staffing patterns, operations systems, and revised budgets of the Department and the Commission, shall be completed within six

(6) months from the effectivity of this Act, during which existing personnel shall continue to assume their posts in holdover capacities until new appointments are issued. Accordingly, all applications for permits and licenses, and cases pending with HLURB upon the effectivity of this Act and filed during the transition period shall continue to be acted upon by the incumbents until the rules and regulations as provided under this Act shall have been in force.

SEC. 27. Transfer of Assets and Obligations. - The following dispositive actions shall be implemented within six (6) months from the effectivity of this Act:

(a) The assets, equipment, funds, records, and pertinent transactions of HUDCC and HLURB shall be transferred to the Department and the Commission; and

(b) The Department and the Commission shall cause the creation of additional positions and augment their budget appropriations, as may be necessary.

SEC. 28. Absorption or Separation from Service of Employees of the Consolidated Agencies. - The existing employees of HUDCC and HLURB shall enjoy security of tenure and shall be absorbed by the Department or the HSAC, in accordance with their staffing patterns and the selection process as prescribed under Republic Act No. 6656, otherwise known as the "Government Reorganization Law".

Employees opting to be separated from the service as a consequence of the consolidation and reconstitution under the provisions of this Act shall, within one (1) month from their separation or phase out from the service, receive separation benefits in accordance with existing laws. In addition, those who are qualified to retire shall be allowed to" retire and be entitled to all benefits provided, under any of the existing retirement laws.

SEC. 29. Implementing Rules and Regulations. - The HUDCC, HLURB, DBM and Civil Service Commission, in coordination with

NHA, SHFC, NHMFC, HDMF and other concerned agencies, shall prepare and issue the Implementing Rules and Regulations (IRR) of the Department within ninety (90) days upon the effectivity of this Act.

SEC. 30. *Implementing Authority.* - The HUDCC Chairperson is hereby authorized to undertake the implementation of the provisions of this Act and implement the necessary organizational changes within the specified six (6)-month transition period or until a Department Secretary has been appointed and has assumed office.

SEC. 31. *Appropriations.* - The amount necessary for the initial implementation of the provisions of this Act shall be charged against the current year's appropriations of the HUDCC and HLURB. Thereafter, such sums as may be necessary for the continued implementation of this Act shall be included in the annual General Appropriations Act. The Department shall include in its proposed budget the necessary amount to enable it to achieve its mandate of providing adequate and affordable housing to all Filipinos.

CHAPTER IX

MISCELLANEOUS PROVISIONS

SEC. 32. *Mandatory Review of the Implementation of this Act.* - The Department shall conduct a review of the implementation of this Act at the end of the third (3rd) year from the date of its effectivity and submit a report to Congress.

SEC. 33. *Separability Clause.* - If, for any reason, any portion or provision of this Act shall be held unconstitutional or invalid, the remaining provisions not affected thereby shall continue to be in full force and effect.

SEC.34. *Repealing Clause.* - Executive Order No. 90, s. 1986 and Executive Order No. 648, s. 1981, are hereby repealed.

All other laws, executive orders, proclamations, rules, regulations, and other issuances or parts thereof which are inconsistent with the provisions of this Act are hereby amended or modified accordingly.

SEC. 35. *Effectivity* - This Act shall take effect fifteen (15) days after its publication in the *Official Gazette* or in any newspaper of general circulation.

Approved,

(Sgd.) GLORIA MACAPAGAL-ARROYO (Sgd.) VICENTE C. SOTTO III
Speaker of the House *President of the Senate*
of Representatives

This Act which is a consolidation of Senate Bill No. 1578 and House Bill No. 6775 was passed by the Senate and the House of Representatives on November 12, 2018 and October 10, 2018, respectively.

(Sgd.) DANTE ROBERTO P. MALING (Sgd.) MYRA MARIE D. VILLARICA
Acting Secretary General *Secretary of the Senate*
House of Representatives

Approved: FEB 14 2019

(Sgd.) RODRIGO ROA DUTERTE
President of the Philippines

S. No. 1998
H. No. 7735

Republic of the Philippines
CONGRESS OF THE PHILIPPINES
Metro Manila

Seventeenth Congress
Third Regular Session

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

REPUBLIC ACT NO. 11203

AN ACT LIBERALIZING THE IMPORTATION, EXPORTATION AND TRADING OF RICE, LIFTING FOR THE PURPOSE THE QUANTITATIVE IMPORT RESTRICTION ON RICE, AND FOR OTHER PURPOSES

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

SECTION 1. Section 2 of Republic Act (R. A.) No. 8178. as amended, is hereby further amended to read as follows:

“ SEC. 2. *Declaration of Policy.* - It is the policy of the State to ensure food security and to make the country’s agricultural sector viable, efficient and globally competitive. The State adopts the use of tariffs in lieu of non-tariff import restrictions to protect local producers of agricultural products.

x x x

SEC. 2. Section 3 of R. A. No. 8178. as amended is hereby further amended to read as follows:

“SEC. 3. *Definition of Terms.* - The following definitions apply to the terms used in this Act:

“(a) ‘Agricultural products’ shall refer to specific commodities classified under Chapters 1-24 of the Harmonized Commodity Description and Coding System (HS) adopted and used in Section 1611 of R. A. No. 10863, otherwise known as the “Customs Modernization and Tariff Act” (CMTA);

“x x x

“(c) ‘ATIGA Rate’ refers to tariff rate commitments under the ASEAN Trade in Goods Agreement (ATIGA) applicable to importations originating from Association of Southeast Asian Nations (ASEAN) member States;

“(d) ‘Bound rate’ refers to the agreed maximum tariffs on products committed by the Philippines to the World Trade Organization (WTO) under the Uruguay Round Final Act, and under the ATIGA, in accordance with its tariff schedule (Annex 2: Tariffs under the ASEAN Trade in Goods Agreement (ATIGA)- PHILIPPINES);

“(e) ‘Buffer Stock’ refers to the optimal level of rice inventory that shall be maintained at any given time to be used for emergency situations and to sustain the disaster relief programs of the government during natural or man-made calamities;

“(f) ‘In-Quota Tariff Rate’ refers to the tariff rates for minimum access volumes committed by the Philippines to the WTO under the Uruguay Round Final Act:

“(g) ‘Out-Quota Tariff Rate’ refers to the higher rate of customs duty that is levied on the quantities of an imported agricultural product in excess of its minimum access volume (MAV);

“(h) ‘Minimum Access Volume’ refers to the volume of a specific agricultural product that is allowed to be imported with a lower tariff as committed by the Philippines to the WTO under the Uruguay Round Final Act;

“(i) ‘Most Favoured Nation (MFN) Rate’ refers to Philippine tariff rates that are applicable to imports from all sources as prescribed in the CMTA;

“(j) ‘Quantitative Import Restrictions’ refer to non-tariff restrictions used to limit the amount of imported commodities, including, but not limited to discretionary import licensing and import quotas, whether qualified or absolute;

“(k) ‘Rice’ refers to all products classified under the Harmonized Commodity Description and Coding System (HS) heading 10.06;

“(l) ‘Rice Shortage’ is a situation where the quantity available or the supply of the commodity in a market falls short of the quantity demanded or required at a given time;

“(m) ‘Tariff’ refers to a tax levied on a commodity imported from another country. It earns revenues for the government and regarded as instruments to promote local industries by taxing their competitors. The benefit is accorded to the local producers by the maintenance of a domestic price at a level equal to the world price plus the tariff;

“(n) ‘Tariff Equivalent’ refers to the rate of tariff that provides comparable protection under existing quantitative import restrictions, reflected by the average price gap between domestic prices and world prices; and

“(o) ‘Tariffication’ refers to the lifting of all existing quantitative restrictions such as import quotas or prohibitions, imposed on agricultural products, and replacing these restrictions with tariffs.”

SEC. 3. Section 4 of R. A. No. 8178, as amended, hereby further amended to read as follows:

“ SEC. 4. *Repeal.* - The following laws and all other laws or provisions of law prescribing quantitative import restrictions or granting government agencies the power to impose such restrictions on agricultural products or hindering the liberalization of the importation, exportation and trading of rice are hereby repealed:

“x x x

“(8) Subparagraphs i, v, vi, vii, xi, xii, xiii, xiv, xv, xvi, xvii, xviii, xix, xxii, xxiii, and xxv of Section 6(a) of Presidential Decree (P.D.) No. 4, as amended.”

SEC. 4. A new Section 5 is hereby inserted after Section 4 of R. A. No. 8178, as amended, to read as follows:

“SEC. 5. *Issuance of Sanitary and Phytosanitary Import Clearance for Rice for the Sole Purpose of Ensuring Food Safety.* - All importers of rice are required to secure a Sanitary and Phytosanitary Import Clearance (SPSIC) from the Bureau of Plant Industry (BPI) prior to importation in accordance with existing laws, rules and regulations: *Provided*, That the clearance shall not provide for import volume and timing restrictions: *Provided, further*, That failure on the part of the BPI to release the SPSIC without informing the rice importer of any error, deficiency, omission, or additional documentary requirement shall mean automatic approval of the SPSIC applied for within seven (7) days after submission of the complete requirements.

“The imported rice should arrive before the expiration of the SPSIC from the BPI.

“The food safety regulatory function of the NFA under Item (i), Section 16 of R. A. No. 10611, otherwise known as the

‘Food Safety Act of 2013’. is hereby transferred to the BPI.”

SEC. 5. Section 6 of R. A. No. 8178, as amended, is hereby further amended to read as follows:

“SEC. 6. *Tariffication*. - In lieu of quantitative import restrictions, the maximum bound rates committed under the Uruguay Round Final Act shall be imposed on the agricultural products whose quantitative import restrictions are repealed by this Act. x x x.

“x x x

“For the tariff equivalent of the quantitative import restrictions on rice, the bound rate shall be as notified by the Philippines to the WTO as follows:

“(a) For the minimum access volume committed by the Philippines to WTO. the in-quota tariff rate indicated in the applicable provisions of the WTO Agreement on Agriculture shall apply;

“(b) For rice imports originating from ASEAN member states, the import duty rate under the ATIGA shall apply; and

“(c) For rice imports originating from non-ASEAN WTO member states, the out-quota tariff rate is one hundred eighty percent (180%) or the tariff equivalent calculated in accordance with Paragraph 10 of Annex 5, Section b, of the WTO Agreement on Agriculture upon the expiration of the waiver relating to the special treatment for rice of the Philippines, whichever is higher, shall apply.

“The calculated tariff equivalent shall be determined by the Tariff Commission and approved by the National Economic Development Authority (NEDA) Board within forty-five (45) days upon the effectivity of this Act.”

SEC. 6. A new Section 7 is hereby inserted after Section 6 of R. A. No. 8178, as amended, to read as follows:

“SEC. 7. *Powers of the President.* - Consistent with the Philippine national interest and the objective of safeguarding Filipino farmers and consumers, the President is hereby empowered to act with full delegated authority subject to the provisions of the CMTA. in the following circumstances:

“(a) The President may increase, reduce, revise, or adjust existing rates of import duty up to the bound rate committed by the Philippines under the WTO Agreement on Agriculture and under the ATIGA, including any necessary change in classification applicable to the importation of rice: *Provided*, That the power herein delegated to the President shall only be exercised when Congress is not in session: *Provided, further*, That any order issued by the President adjusting the applied tariff rates shall take effect fifteen (15) days after publication;

“(b) In the event of any imminent or forecasted shortage, or such other situation requiring government intervention, the President is empowered for a limited period and/or a specified volume, to allow the importation at a lower applied tariff rate to address the situation. Such order shall take effect immediately and can only be issued when Congress is not in session; and

“(c) In case the calculated out-quota tariff rate referred to under Section 6(c) of this Act exceeds one hundred percent (100%), the provision of Paragraph 1, Section 1608(a) of the CMTA shall also not apply.

“The power herein delegated to the President may be withdrawn or terminated by Congress through a Joint Resolution.”

SEC. 7. A new Section 7-A is hereby inserted after the new Section 7 of R. A. No. 8178, as amended, to read as follows:

“SEC. 7-A. *Trade Negotiation Authority*. - In the interest of the Philippine rice industry and Philippine consumers, and upon the recommendation of the NEDA and the Department of Agriculture (DA), the President may enter into trade negotiations or renegotiations of the Philippine international trade commitments on rice.”

SEC. 8. A new Section 8 is hereby inserted after the new Section 7-A of R. A. No. 8178. as amended, to read as follows:

“SEC. 8. *Maintenance of Rice Buffer Stock*. - The NFA shall, in accordance with the rules, regulations and procedures to be promulgated, maintain sufficient rice buffer stock to be sourced solely from local farmers.”

SEC. 9. A new Section 9 is hereby inserted after the new Section 8 of R. A. No. 8178. as amended, to read as follows:

“SEC. 9. *Lifting of Quantitative Export Restrictions on Rice*. - Any and all laws, rules, regulations, guidelines, and other issuances imposing quantitative export restrictions on rice are hereby repealed. The exportation of rice shall be allowed in accordance with the established redes, regulations and guidelines.”

SEC. 10. A new Section 10 is hereby inserted after the new Section 9 of R. A. No. 8178, as amended, to read as follows:

“SEC. 10. *Special Rice Safeguard*. - In order to protect the Philippine rice industry from sudden or extreme price fluctuations, a special safeguard duty on rice shall be imposed in accordance with R.A. No. 8800, otherwise known as the ‘Safeguard Measures Act’ and its implementing rules and regulations.”

SEC. 11. Section 7 of R. A. No. 8178. as amended, is hereby renumbered as Section 11 and is amended to read as follows:

“SEC. 11. *Mechanism for the Implementation of Minimum Access Volume (MAV)*. - An equitable and transparent mechanism for allocating the MAV of agricultural products whose quantitative restrictions are herein lifted, shall be developed and established, having the least government intervention, addressing the requirements of each geographical area, and without entailing any cost to importers/users of these products to the detriment of local consumers and other end-users.

“In the case of rice, its MAV will revert to its 2012 level at three hundred fifty thousand metric tons (350,000 MT) as indicated in the Philippine commitment to the WTO.

“x x x.”

SEC. 12. Section 8 of R. A. No. 8178, as amended, is hereby renumbered as Section 12 and is amended to read as follows:

“SEC. 12. *Agricultural Competitiveness Enhancement Fund*. - To implement the policy enunciated in this Act, there is hereby created the Agricultural Competitiveness Enhancement Fund, herein referred to as the Fund. The Fund shall consist of all duties collected from the importation of agricultural products, except rice, under the MAV mechanism, including unused balances and collections from repayments from loan beneficiaries including interests, if any. The Fund shall be automatically credited to Special Account 183 in the General Fund of the National Treasury: Provided, That fund releases shall not be subject to any ceiling by the Department of Budget and Management (DBM).

“x x x.”

SEC. 13. A new Section 13 is hereby inserted after the renumbered Section 12 of R. A. No. 8178, as amended, to read as follows:

“SEC. 13. *Rice Competitiveness Enhancement Fund.* - There is hereby created a Rice Competitiveness Enhancement Fund, herein referred to as the ‘Rice Fund’. The Rice Fund shall consist of an annual appropriation of Ten billion pesos (₱10,000,000,000.00) for the next six (6) years following the approval of this Act and shall be automatically credited to a Special Account in the General Fund of the National Treasury which shall be in place within ninety (90)’ days upon the effectivity of this Act.

“At the end of the sixth (6th) year, a mandatory review shall be conducted by the Congressional Oversight Committee on Agricultural and Fisheries Modernization (COCAFAM) to determine whether the Rice Fund and its use as provided for under this Act shall be continued, amended, or terminated. The COCAFAM shall utilize the increase or decrease in farmers’ incomes as a primary benchmark in determining the effectiveness of the interventions under the program and its possible extension.

“The Secretary of Agriculture shall be accountable and responsible for the Rice Fund in coordination with other government agencies concerned.

“The amount allocated shall be released directly to the implementing agencies as provided for in this Act based on the objectives and plans of the rice industry roadmap: *Provided*, That the unutilized portion of the Rice Fund allocated to the implementing agencies shall not revert to the General Fund but shall continue to be used for the purpose for which it was set aside. Fund releases charged against the Rice Fund shall not be subject to any ceiling by the Department of Budget and Management (DBM).

“Any program undertaken in accordance with this Act shall only be deemed complementary and supplementary to and shall not be a replacement of any existing programs for

rice and rice farmers already implemented by the DA and other agencies concerned.

“Subject to the usual accounting and auditing rules and regulations, the Rice Fund shall be allocated and disbursed to rice producing areas, as follows:

“(a) Rice Farm Machineries and Equipment – Fifty percent (50%) of the Rice Fund shall be released to and implemented by the Philippine Center for Postharvest Development and Mechanization (PHilMech) as grant in kind to eligible farmers associations, registered rice cooperatives and local government units (LGUs), in the form of rice farm equipment, such as tillers, tractors, seeders, threshers, rice planters, harvesters, irrigation pumps, small solar irrigation, reapers, driers, millers, and the like, for purposes of improving farm mechanization: *Provided*, That the PHilMech shall, whenever feasible, procure from accredited local manufacturers to assist in the promotion of locally manufactured farm machineries and equipment;

“(b) Rice Seed Development, Propagation and Promotion – Thirty percent (30%) of the Rice Fund shall be released to and implemented by the Philippine Rice Research Institute (PhilRice) and shall be used for the development, propagation and promotion of inbred rice seeds to rice farmers and the organization of rice farmers into seed growers associations and/or cooperatives engaged in seed production and trade:

“(c) Expanded Rice Credit Assistance – Ten percent (10%) of the Rice Fund shall be made available in the form of credit facility with minimal interest rate-s and with minimum collateral requirements to rice farmers and cooperatives, to be managed equally by the Land Bank of the Philippines (LBP) and the Development Bank of the Philippines (DBP); and

“(d) Rice Extension Services – Ten percent (10%) of the Rice Fund shall be made available for the extension

services provided by PhilMech. PhilRice. Agricultural Training Institute (ATI) and Technical Education and Skills Development Authority (TESDA) for teaching skills on rice crop production, modern rice farming techniques, seed production, farm mechanization, and knowledge/technology transfer through farm schools nationwide as follows: seventy percent (70%) to TESDA, ten percent (10%) each to ATI, PhilRice and PHilMech.

“Provided, That the percentage allocation will be reviewed on the third year of the effectivity of this Act for possible revisions should intervention priorities change.

“Provided, further, That preferential attention should be given to rice farmers, cooperatives and associations adversely affected by the tariffication of the quantitative import restriction on rice in accordance with the thrust and priorities of R. A. No. 8435, as amended, otherwise known as the ‘Agriculture and Fisheries Modernization Act’ and the Philippine Development Plan (PDP). The increase or decrease of farmers’ incomes shall be the primary benchmark in granting these interventions.

“Provided, furthermore, That if the annual tariff revenues from rice importation exceeds Ten billion pesos (₱10,000,000,000.00) in any given year within the six (6) year period following the effectivity of this Act, the excess tariff revenues shall be earmarked by Congress and included in the General Appropriations Act (GAA) of the following year:

“(a) Rice Farmer Financial Assistance – A portion of the excess rice tariff revenues shall be released to the DA and shall be used for providing direct financial assistance to rice farmers who are farming two (2) hectares and below regardless of whether they continue farming rice or not as compensation for the projected reduction or loss of farm income arising from the tariffication of the quantitative import restrictions on rice;

“(b) Titling of Agricultural Rice Lands – A portion of the excess rice tariff revenues shall be released to the Department of Agrarian Reform (DAR), Department of Environment and Natural Resources (DENR) and Land Registration Authority (LRA). and shall be used for the subdivision and titling of agricultural rice lands or parts thereof awarded to farmer-beneficiaries under the Comprehensive Agrarian Reform Program (CARP) and other similar programs of the government:

“(c) Expanded Crop Insurance Program on Rice – A portion of the excess tariff revenues shall be released to the Philippine Crop Insurance Corporation (PCIC) and shall be used for the provision of crop insurance to qualified rice farmer-beneficiaries under its existing agricultural insurance programs; and

“(d) Crop Diversification Program – A portion of the excess tariff revenues shall be released to the DA and shall be used for productivity-enhancement programs for rice farmers seeking to diversify production towards other crops.

“The Congressional Oversight Committee on Agricultural and Fisheries Modernization (COCAFAM) shall conduct a periodic review of the use of the Rice Fund.”

SEC. 14. A new Section 14 is hereby inserted after the new Section 13 of R. A. No. 8178, as amended, to read as follows:

“SEC. 14. *Beneficiaries of the Rice Fund.* - The beneficiaries of the Rice Fund shall be those farmers and farmworkers and their dependents listed in the Registry System for Basic Sectors in Agriculture (RSBSA), and rice cooperatives and associations accredited by the DA. Within one hundred eighty (180) days from the effectivity of this Act, the DA. in consultation with farmers’ cooperatives and organizations and LGUs, shall validate and update the masterlist of eligible beneficiaries to ensure that those listed

are legitimate farmers, farmworkers and rice cooperatives and associations.

“In order to focus on the targeted rice farmer beneficiaries, cooperatives and associations for the Rice Fund, the list of rice producing provinces and LGUs, as provided for by PhilRice as of 2015-2018. shall be the basis and shall be added to the roadmap as an appendix.”

SEC. 15. A new Section 15 is hereby inserted after the new Section 14 of R. A. No. 8178. as amended, to read as follows:

“SEC. 15. *Rice Industry Roadmap.* - Upon the effectivity of this Act, the DA, together with the NEDA, Department of Finance (DOF), DBM, DAR, National Irrigation Administration (NIA), TESDA, PCIC, National Anti-Poverty Commission (NAPC) Farmer Sectoral Council Representative and other government agencies concerned, including rice farmer representatives, shall be given a maximum of one hundred eighty (180) days to formulate and adopt the rice roadmap to restructure the government’s delivery of support services for the agricultural rice sector.

“The following principles shall govern the development and implementation of the roadmap for the rice industry:

“(a) Raise sustainable investments in the rice industry particularly on rice support infrastructure and post-harvest facilities;

“(b) Improve the productivity, efficiency and profitability of small rice farmers and landless farmworkers;

“(c) Strengthen research and development programs that will enhance the resiliency of the rice industry:

“(d) Preserve and enhance the rice production capabilities of future generations;

“(e) Provide accessible, targeted and technology-oriented support services that cover the entire value chain;

“(f) Set up responsible, participatory and effective governance mechanisms; and

“(g) Address impact of income loss caused by rice tariffication.

“The rice industry roadmap shall be implemented through a complementation of the DA’s rice sector programs as funded by the GAA, and the Rice Fund created under this Act.”

SEC. 16. A new Section 16 is hereby inserted after the new Section 15 of R. A. No. 8178. as amended, to read as follows:

“SEC. 16. *National Single Window Program.* - To ensure the accurate collection of tariff as provided in Section 6 of this Act, the National Single Window (NSW) program of the Bureau of Customs (BOC) shall be implemented within one hundred eighty (180) days from the effectivity of this Act in accordance with Executive Order No. 482.”

SEC. 17. *Implementing Rules and Regulations.* - Within forty-five (45) days from effectivity of this Act, the DA, NEDA and DBM shall, in coordination with DAR, DENR, NIA, LRA, PCIC, PHilMech, PhilRice, TESDA, LBP, DBP, ATI, and other government agencies concerned and after consultation with directly affected stakeholders, promulgate the rules and regulations to effectively implement the provisions of this Act.

SEC. 18. *Separability Clause.* - If any portion of this Act is declared invalid or unconstitutional, the portions or provisions which are not affected shall continue to be in full force and effect.

SEC. 19. *Repealing Clause.* - All laws, decrees, executive issuances, rules and regulations inconsistent with this Act are hereby repealed or modified accordingly.

SEC. 20. *Effectivity.* - This Act shall take effect fifteen (15) days after its publication in the *Official Gazette* or in a newspaper of general circulation.

Approved,

(Sgd.) GLORIA MACAPAGAL-ARROYO (Sgd.) VICENTE C. SOTTO III
Speaker of the House *President of the Senate*
of Representatives

This Act which is a consolidation of Senate Bill No. 1998 and House Bill No. 7735 was passed by the Senate and the House of Representatives on November 28, 2018.

(Sgd.) DANTE ROBERTO P. MALING (Sgd.) MYRA MARIE D. VILLARICA
Acting Secretary General *Secretary of the Senate*
House of Representatives

Approved: FEB 14 2019

(Sgd.) RODRIGO ROA DUTERTE
President of the Philippines

S. No. 1318
H. No. 6878

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. 11511

AN ACT AMENDING REPUBLIC ACT NO. 10068 OR THE ORGANIC AGRICULTURE ACT OF 2010

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

SECTION 1. Section 1. Section 2 of Republic Act No. 10068, otherwise known as “An Act Providing for the Development and Promotion of Organic Agriculture in the Philippines and for Other Purposes”, is hereby amended, to read as follows:

“SEC. 2. *Declaration of Policy.* - It is hereby declared the policy of the State to promote, propagate, develop further and implement the practice of organic agriculture in the Philippines that will cumulatively condition and enrich the fertility of the soil, increase farm productivity and farmers’ incomes, reduce pollution and destruction of the environment, prevent the depletion of natural resources, encourage the participation of indigenous organic farmers in promoting their sustainable practices, further protect the health of farmers, consumers, and the general public, save on imported farm inputs and promote food self-sufficiency. Towards this end, a comprehensive program for the promotion of community-

based organic agriculture systems which include, among others, farmer-produced organic soil amendments, bio-control agents and other farm inputs, together with a nationwide educational and promotional campaign for their use and processing shall be established.

Likewise, a nationwide educational and awareness campaign among consumers on the benefits of consuming organic products to boost local production of organic food and non-food products, as well as the adoption of organic agricultural system as a viable alternative shall be undertaken.

x x x.”

SEC. 2. Section 3 of Republic Act No. 10068 is hereby amended, to read as follows:

“SEC. 3. *Definition of Terms.* - For purposes of this Act, the following terms shall be defined as follows:

x x x

(c) *Organic production system* is a system designed to:

- (1) Enhance biological diversity within the whole system;
- (2) Increase soil biological activity;
- (3) Maintain long-term soil fertility;

x x x;

(h) *Certification* is the procedure by which a government agency or an organic certifying body (OCB) provides written or equivalent assurance that farms, or production and processing systems, conform to organic standards as mandated in this Act.

(i) *Accreditation* is the procedure by which a government agency having jurisdiction formally recognizes the competence of an OCB to provide inspection and certification services. This shall be solely and exclusively exercised by the designated agency or agencies in this Act, pursuant to the mandates stated herein.

x x x.

(o) *Inspection* is the examination of farms, food and non-food products, food control systems, raw materials, processing, distribution and retailing, including in-process and finished product testing, in order to verify that they conform to the requirements for being organic. Inspection includes the examination of the production and processing systems.

(p) *Organic bio-control agents* refer to organisms and their associated metabolites as well as naturally occurring substances that control pests and diseases. These are classified as botanicals, macrobials, microbials, and semichemicals.

(q) *Organic Certifying Body (OCB)* refers to a legal entity accredited by a government agency to perform inspection and certification activities. It is responsible for verifying that a product sold or labeled as “organic” is produced, processed, prepared, or handled according to relevant guidelines.

(r) *Organic soil amendments* refer to all the products within the scope of the Philippine national standard, i.e. organic fertilizers, compost/soil conditioner, microbial inoculants, and organic plant supplements that are added to the soil to improve its physical properties.

(s) *Participatory Guarantee System (PGS)* refers to a locally-focused quality assurance system which is developed and practiced by people actually engaged in organic agriculture, It is built on a foundation of trust, social network, and knowledge exchange. It is used to certify producers

and farmers as actual and active practitioners of organic agriculture.

(t) *PGS group* refers to a legal association or cooperative of registered farmer members and other stakeholders in a participatory guarantee system

(u) *Core PGS group* refers to the basic grouping unit in the PGS.

(v) *Participatory Organic Certificate* refers to a documentary proof that a core PGS group is compliant with the requirements, standards and norms of organic farming/ agriculture. It shall be issued by a government agency or by an authorized OCB, after the conduct of an investigation and certification activity on the application for certification by the core PGS group. It shall have a validity of three (3) years.

(w) *Small farmer/fisherfolk* refers to those utilizing not more than five (5) hectares of land for the single purpose of, or a combination of the following purposes for, agricultural crop production, including rice and corn, aquaculture, and poultry/ livestock raising: *Provided*, That poultry/livestock raising shall not have more than the following:

- * Poultry - 1,000 poultry layers or 5,000 broilers
- * Swine/native pigs - 10 sow level or 20 fatteners
- * Cattle - 10 fatteners or 5 breeders
- * Dairy - 10 milking cows
- * Goat, sheep and other small ruminants - 50 heads

* Other animals permitted to be raised, the limits of which are to be determined by the National Organic Agriculture Board (NOAB).

(x) Organic value chain refers to agriculture-related activities that put farmers, processors, distributors and consumers within a system that produces, processes, transports, markets and distributes organic agricultural products.”

SEC. 3. Section 4 of Republic Act No. 10086 is hereby amended, to read as follows:

“SEC. 4. *Coverage.* - The provision of this Act shall apply to the development and promotion of organic agriculture and shall include, but not limited to, the following:

x x x

(c) Promotion and encouragement of the establishments of facilities, equipment and processing plants that would accelerate the production and commercialization of organic fertilizers, bio-control agents, organic soil amendments and other appropriate farm inputs; and

(d) Implementation of organic agricultural programs, projects and activities, including the provision and delivery of support services with focus on the farmers, prioritizing small farmers/fisherfolk and their organizations and other stakeholders.”

SEC. 4. Section 7 is hereby amended, to read as follows:

“SEC. 7. *Composition of the NOAB.* - The NAOB shall consist of the following members:

x x x

(d) The Director General of the Technical Education and Skills Development Authority, or his/her duly authorized permanent representative;

(e) The Secretary of Agrarian Reform, or his/her duly authorized permanent representative;

(f) The Secretary of Trade and Industry, or his/her duly authorized permanent representative;

(g) The Secretary of Health, or his/her duly authorized permanent representative;

(h) Three (3) representatives from the small farmers;

(i) One (1) representative from the NGOs involved in organic agriculture for at least three (3) years;

(j) One (1) representative from agricultural colleges and universities;

(k) One (1) representative from the private sector in the organic value chain;

(l) One (1) representative from the national association of PGS groups, to be chosen from among and by themselves: *Provided*, That the representative is a small farmer;

(m) One (1) representative from a national organization of local government units (LGUs) actually engaged in organic agriculture; and

(n) One (1) qualified representative from the indigenous organic farmers.

x x x

The representatives of small farmers and NGOs and of agricultural colleges and universities, shall be chosen by the Secretaries of Agriculture and Science and Technology, respectively, from among nominees submitted to the agency concerned by their respective national organizations. These

representatives must represent their respective organizations at least from the provincial level, actually and actively practicing and promoting organic agriculture practices, be conversant in organic agriculture and committed to the policies and programs provided under this Act. The three (3) seats given to small farmers shall be chosen from the crops and livestock sectors, which will have two (2) seats and one (1) seat, respectively.

An appointed/elected member of the board can only serve a single term of three (3) years, without reappointment. Should the member fail to complete his/her term, the replacement or successor shall only serve the unexpired portion of the term.

SEC. 5. Section 8 is hereby amended, to read as follows:

“SEC. 8. - *Organization of the NOAB.* -

x x x

The Chairperson shall call the members of the NAOB, or a majority thereof if not all have been designated, to a meeting to organize themselves and prescribe its rules and procedures for the attainment of the objectives of this Act. A majority of all the members of the NAOB shall constitute a quorum. The NOAB shall meet at least once every quarter after its constitution.

x x x”

SEC. 6. Section 10 and 11 of Republic Act No. 10068 are hereby repealed and a new Section 10 is hereby inserted, to read as follows:

“SEC. 10. *National Organic Agriculture Program - National Program Coordinating Office (NOAP-NPCO).* - To manage the effective implementation of the National Organic Agriculture Program, the Department of Agriculture (DA), Office of the Secretary, shall be strengthened and empowered

in terms of establishing a functional office, to be known as the National Organic Agriculture Program - National Program Coordinating Office (NOAP-NPCO). It shall serve as the planning and administrative secretariat of the NOAB, and as the coordinating office of the Program.”

SEC. 7. Section 12 of Republic Act No. 10068 is hereby amended and renumbered as Section 11 of this Act, to read as follows:

“SEC. 11. *Work Plan.* - In line with the National Organic Agriculture Program, the NOAP-NPCO shall submit to the Board for approval the following:

x x x.”

SEC. 8. A new Section 12 is hereby inserted after the new Section 11, to read as follows:

“SEC. 12. *Bureau of Agriculture and Fisheries Standards (BAFS).* - The BAFS of the DA shall be restructured, strengthened, and empowered to support the objectives of this Act. It shall provide technical assistance to the NOAB and the NOAP-NPCO. The BAFS, in addition to its existing functions and responsibilities, shall perform the following functions, duties and responsibilities for purposes of this Act:

(a) Formulate and update standards relevant to organic agriculture;

(b) Issue accreditation to OCBs;

(c) Conduct inspections on compliance of PGS groups with the Philippine National Standards (PNS) for organic agriculture, and publish at least once a year the list of compliant PGS groups;

(d) Issue registration of organic inputs, such as organic soil amendments and organic bio-control agents;

(e) Issue registration of integrated organic farms with multiple commodities/production and of organic input products;

(f) Rules on the appeal of farm/farmowner on decision made by OCBs and the concerned municipal/city PGS groups on inspection and certification issues; and

(g) Perform such other functions, duties, and responsibilities as may be necessary to implement this Act.”

SEC. 9. Section 15 of Republic Act No. 10068 is hereby amended and renumbered as Section 13 of this Act, to read as follows:

“SEC. 13. *Accreditation of OCB.* - The BAFS is hereby designated and authorized to grant official accreditation to an OCB entity. The BAFS is tasked to formulate the necessary rules and procedures in the accreditation of OCBs performing third-party certification, or granting certification as part of the PGS: *Provided*, That there shall be at least one (1) accredited OCB performing third-party certification, each in Luzon, Visayas and Mindanao, or in case of only one (1) OCB performing third-party certification is accredited, it shall have at least one (1) satellite office or processing unit each in Luzon, Visayas and Mindanao.”

SEC. 10. A new Section 14 is hereby inserted, to read as follows:

“SEC. 14. *Participatory Guarantee System (PGS).* -

(a) *Basic Principles.* The PGS shall be the mechanism which small farmers/fisherfolk, their farms/associations/cooperatives shall be certified as engaged in organic agriculture and as producers of organic agriculture products. The participatory organic certification from a government agency or OCBs, organized in accordance with this Act, shall be promoted and accepted. The products certified through

the PGS shall be traded only in the domestic market, unless covered by an international certification or a mutual recognition agreement.

An association or group under the PGS shall adhere to the PNS for organic agriculture.

Further, associations or groups under the PGS shall adopt the following features and characteristics:

(i) Existence of organic agriculture norms conceived by the organic agriculture stakeholders, norms that are appropriate to smallholder agriculture;

(ii) Grassroots organization: the participatory certification should be perceived as a result of a social dynamic, based on the active participation of all stakeholders;

(iii) Existence of principles and values that enhance the livelihoods and well-being of farming families and promote organic agriculture;

(iv) Documented management systems and procedures;

(v) Provision of mechanisms to verify farmer's compliance to established norms;

(vi) Provisions of mechanisms for supporting farmers to produce organic products and be certified as organic farmers, which shall include field advisors, newsletters, farm visits, web sites, among others;

(vii) Existence of a bottom-line document, such as a farmer's pledge, that shall state his/her agreement to the established norms;

(viii) Introduction or use of seals or labels providing evidence of organic status; and

(ix) Existence of a clear and previously defined set of recommendations and measures against farmers who fail to comply with standards.

(b) *Legal Personality.* The core PGS group shall be registered with the municipality/city where the PGS group is predominantly located. It shall secure a mayor's permit from said municipality/city, possession of which shall suffice as proof of registration and the grant of legal personality, which however shall be limited only to PGS transactions.

The national organization of LGUs actually engaged in organic agriculture shall also secure a legal personality for purposes of accreditation by the BAFS.

Any other OCB shall secure a mayor's permit from the municipality/city where it intends to operate and possession of which shall suffice to grant them legal personality for purposes of accreditation by the BAFS.

(c) *Certification.* Certification. The BAFS shall provide the guidelines for the certification of farms, pursuant to the provisions of this Act.

A farm/farmowner applying for certification as an organic agriculture practitioner shall join a PGS group in the same municipality/city where his/her farm is located, or with a PGS group in a municipality/city within the same province to which he/she, as the farmowner, regularly interacts or conducts business with.

The farm/farmowner shall apply for a participatory organic certificate with a core PGS group of the PGS group where the farm belongs; or with a national organization of LGUs initiating organic agriculture practices, a member of which is the municipality/city where the PGS group is located; or with any private group or organization actually engaged in

organic agriculture and operating in that municipality/city; any of which is accredited as an OCB.

The decision of any of the abovementioned OCBs shall be appealable to the BAFS: *Provided*, That the BAFS shall rule on the appeal within thirty (30) days from its receipt. Otherwise, the appealed decision shall be considered reversed.

The withdrawal of membership in the PGS group shall mean forfeiture of the privilege for the farm/farmowner to use the participatory organic certificate.

In case a member of the core of PGS group representing a farm applies for renewal of certification with the same core PGS group, the member of the core PGS group must inhibit himself/herself before the application for renewal can be considered.

(d) *Accreditation*. The BAFS shall provide the guidelines for accreditation.

A registered core PGS group shall apply for accreditation with the BAFS. A core PGS group shall be accorded accreditation by the BAFS only if it has at least five (5) members, coming from different farms within the municipality/city or within the province, certified and actually practicing organic agriculture. The BAFS shall extend technical and financial support to a core PGS group in its application for accreditation.

For purposes of this section, the BAFS is hereby authorized to certify five (5) individual farms as a core PGS group: *Provided*, That once such core PGS group is accredited to certify, it can subsequently certify as organic agriculture compliant other core PGS groups: *Provided, further*, That the authorization to certify shall be deemed revoked when the core membership becomes less than five (5) or any of the minimum five (5) member farms becomes noncompliant to organic agriculture standards.

A national organization of LGUs actually initiating or engaged in organic agriculture; or any private group or organization actually engaged in organic agriculture, as direct farm producer, as a promoter/advocate of the ways, methods, and principles of organic agriculture; or as a marketer of organic agriculture produce; may also apply for accreditation as an OCB.

The BAFS shall issue its decision on the application for accreditation by a core PGS group or any qualified entity applying for accreditation within sixty (60) days from the submission of the complete requirements. Failure to render decision within such period, shall be deemed an approval of the application for accreditation as an OCB. The BAFS shall not charge any application fee.

(e) *Organization Levels.*

(1) *The Core PGS Group.* Every core PGS group should have at least five (5) members, composed of farmers from a combination of both the crops and livestock sectors. It may add to its membership farmers from other sectors in agriculture. NGOs, people's organizations, buyers of organic agriculture products, suppliers of organic inputs, among others, who all live or operate within the province and regularly interact with the concerned PGS group.

Each core PGS shall have the following duties and responsibilities:

- (i) Develop an understanding of the organic standards;
- (ii) Make sure farm practices are compliant;
- (iii) Make a pledge that they understand and adhere to the organic standards;

(iv) Conduct inspection and certification activities of member farms. At least a majority of the members of the core PGS group who joined in the actual inspection and certification activity should sign on the truthfulness of the findings of the inspection and certification activity;

(v) Recommend which farms will be certified;

(vi) Initiate key field trainings for farmer-members and residents in their locality to promote organic agriculture;

(vii) Attend municipal/provincial PGS meetings and share information;

(viii) Take actions on defaults/noncompliance as per sanction guidelines to be provided by the BAFS, OCBs and municipality/city PGS groups; and

(ix) Assist defaulting and noncompliant members to regain certification status.

(2) *Municipality/City PGS Group.* The municipal/city PGS group shall be composed of the following: 1) one (1) representative for each core PGS group in the municipality/city; and 2) one (1) representative from a regional agricultural state university or college (SUC) or local private agricultural educational institution: *Provided,* That there should be at least two (2) core PGS groups in the municipality/city before a municipal/city PGS group can be established.

The municipality/city PGS group shall conduct its business and affairs based on the majority decision of the members present, after having secured a quorum.

The municipality PGS group shall have the following powers, duties and responsibilities:

(i) Together with the BAFS, develop or update and implement the PGS, as provided in this Act;

(ii) Ensure that compliant farmer members continue to comply with all the requirements of the applicable PNS for organic agriculture and relevant regulatory requirements;

(iii) Maintain a registry of core PGS groups operating within its area of jurisdiction, which shall be forwarded to the BAFS on year-end for the latter's national database;

(iv) Together with the OCB involved in the inspection and certification activity, and in coordination with the NAFS, issue participatory organic certificate and the "PGS guaranteed organic" label/mark to compliant small farmer/fisherfolk and/or their farm/association/cooperative; and

(v) Submit regularly to the BAFS, a list of certified small farmer/fisherfolk and/or their farm/association/cooperative.

In case a municipal/city PGS group has yet to be established, the BAFS, in coordination with the LGU concerned, shall assume the powers, duties and responsibilities of this group.

(3) *Provincial and National PGS group.* It shall be the option of the PGS groups to form their aggrupation at the provincial and national levels. They shall receive the financial and technical assistance, support and guidance of the departments in the NOAB and the DA-BAFS in this regard. The provincial governments shall encourage and support the formation and activities of these PGS groups in the different provinces, cities and municipalities within their jurisdiction.

(f) *Promotion.* The NOAB shall actively promote, search and recognize associations or groups that have been practicing organic agriculture through the PGS, in accordance with this Act. The NOAB shall ensure that each province in the country

has a PGS group. Every PGS group shall conduct trainings and promote organic agriculture.

(g) *Training and Inspection.* The Agricultural Training Institute (ATI) shall, in close coordination with the BAFS, make available the required training program on organic agriculture standards and processes for PGS groups applying for BAFS accreditation. The BAFS shall conduct random inspections to ensure that PGS groups are all compliant with the PNS for organic agriculture. The BAFS shall keep a record of compliant PGS groups in the country and shall publish a list of such compliance at least once a year.

(h) *Incentives.* Any small farmer/fisherfolk or their farms/associations, cooperatives engaged in organic agriculture or any organic input producer, certified by its core PGS group or any OCB, accredited under this section, to be compliant for a period of five (5) years, without any offense or infraction, shall be eligible for a full government subsidy of the cost for an international certification for one (1) year: *Provided*, That they shall export their products. Further, so long as the same entities maintain their status for compliance, they shall be invited and given, for free, prime location in any government agency-initiated or sponsored trade and business marketing gathering of Filipino products, for the purpose of displaying and selling their own organic products.”

SEC. 11. Section 13 of Republic Act No. 10068 is hereby renumbered as Section 15.

SEC. 12. Section 14 of Republic Act No. 10068 is hereby amended and renumbered, to read as follows:

“SEC. 16. *Local Executive Concerns.* - Every provincial governor shall, insofar as practicable x x x.

x x x

X X X

Local government units shall coordinate with the DA-Bureau of Plant Industry for the establishment and/or strengthening of local organic seed centers in order to increase farmers' adoption to organic agriculture.

The municipalities and cities are hereby enjoined to enact ordinances that shall protect organic farming zones and organic farming practices.

x x x.”

SEC. 13. Section 16 of Republic Act No. 10068 is hereby repealed and replaced with a new Section 17, to read as follows:

“SEC. 17. *Registration of Organic Producers, Produce, Inputs, and Organic Processed Food.* - The BAFS of the DA shall be responsible for the registration of integrated organic farms and organic inputs such as organic soil amendments and organic bio-control agents. The Bureau of Plant Industry (BPI) of the DA shall be responsible for the registration of organic seeds, planting materials and crops.

Further, the Bureau of Animal Industry (BAI) of the DA shall be responsible for the registration of organic agriculture farms, livestock and poultry and its feeds. The Bureau of Fisheries and Aquatic Resources (BFAR) of the DA shall be responsible for the registration of organic fisheries and aquaculture resources and organic aquaculture feeds.

The BAFS, BPI, BAI, and BFAR of the DA shall come up with a single unified set of rules and regulations for the registration of organic produce and inputs.

The Food and Drug Administration (FDA) of the Department of Health (DOH) shall be responsible for the product registration of organic processed food. It shall

formulate its rules and regulations for the registration of organic pre-packaged and processed food.”

SEC. 14. Section 17 of Republic Act No. 10068 is hereby amended and renumbered, to read as follows:

“SEC. 18. *Labeling of Organic Produce.* - The label of organic produce shall contain the name, logo or seal of the OCB and the accreditation number issued by the BAFS. The organic label/mark shall also include the trade name, as defined by pertinent domestic property rights laws, and the address of origin of the produce.

Products which are certified and guaranteed by third-party organic certification system and the PGS shall be allowed to be labelled and sold as organic.”

SEC. 15. Section 18 of Republic Act No. 10068 is hereby renumbered accordingly.

SEC. 16. Section 19 of Republic Act No. 10068 is hereby repealed and a new section is inserted, to read as follows:

“Section 20. *Market Development and Trade Promotion.* - The agribusiness and marketing assistance service of the DA, in collaboration with other relevant agencies, shall develop and implement market development and trade promotion programs for organic agriculture, including, but not limited to, the following:

(a) Development of marketing agenda for organic agriculture;

(b) Establishment ensuring sustainability and monitoring of organic trading posts and stalls/outlets: *Provided*, That these trading posts and stalls/outlets are strategically located in an area such as in the public market and in other centers of trading and local business activities;

(c) Development of market information system;

(d) Promotion of organic food, non-food and input products; and

(e) Facilitation of market matching activities.”

SEC. 17. Section 20 to 24 of Republic Act No. 10068 are hereby renumbered accordingly.

SEC. 18. Section 25 of Republic Act No. 10068 is hereby amended and renumbered, to read as follows:

“SEC. 26. *Appropriations.* x x x.

The Department of Budget and Management shall include annually in the President’s program of expenditure for submission to and approval by Congress One billion pesos (P1,000,000,000.00) for the promotion and development of the national Organic Agriculture Program, allocated as follows:

Thirty-five percent (35%) for shared facilities;

Twenty-five percent (25%) for seeds development/ planting materials and animals distribution and feed for aquaculture, soil amendments and bio-control agents;

Twenty percent (20%) for extension and training;

Five percent (5%) for socialized credit;

Five percent (5%) for small scale irrigation system;

Five percent (5%) for research and development;

and

Five percent (5%) for marketing and promotion. Lawphi |

x x x.”

SEC. 19. Section 26 is hereby amended and renumbered, to read as follows:

“SEC. 27. *Penal Provisions and Other Penalties.* - Any person who willfully and deliberately:

x x x

(c) mislabels or claims that the product is organic when it is not in accordance with the existing standards for Philippine organic agriculture or this Act shall, upon conviction, be punished by imprisonment of not less than one (1) month nor more than six (6) months, or a fine of not more than Fifty thousand (P50,000.00), or both, at the discretion of the court. If the offender is a corporation or a juridical entity, the official who ordered or allowed the commission of the offense shall be punished with the same penalty. If the offender is in the government service, he/she , in addition, be dismissed from the office: *Provided*, That any OBC found to have issued a certification to a farm or producer established to be not compliant with any of the PNS for organic agriculture or with the provisions of this Act, shall be penalized by the BAFS as follows:

(1) First Offense: Written warning

(2) Second offense. Suspension of accreditation.”

SEC. 20. Section 27 of Republic Act No. 10068 is hereby amended and renumbered as Section 28, to read as follows:

“SEC. 28. *Implementing Rules and Regulations.* - The NOAB shall adopt rules and regulations to implement provisions of this Act within ninety (90) days from the effectivity of this Act and submit the same to the COCAF. In the drafting of the implementing rules and regulations, the

Department of Finance (DOF) shall be consulted in connection with the tax incentive provided under Section 25 hereof.”

SEC. 21. Sections 28 to 32 are hereby renumbered accordingly.

SEC. 22. *Separability Clause.* - If any provision of this Act is declared invalid or unconstitutional, the other provisions not affected thereby shall remain in force and effect.

SEC. 23. *Repealing Clause.* - All laws, presidential decrees, executive orders, presidential proclamations, rules and regulations or parts thereof contrary to or inconsistent with this Act are hereby repealed or modified accordingly.

SEC. 24. *Effectivity.* - This Act shall take effect fifteen (15) days following its publication in at least two (2) newspapers of general circulation or in the *Official Gazette*.

Approved,

(Sgd.) LORD ALLAN JAY Q. VELASCO
*Speaker of the House
of Representatives*

(Sgd.) VICENTE C. SOTTO III
President of the Senate

This Act which is a consolidation of Senate Bill No. 1318 and House Bill No. 6878 was passed by the Senate of the Philippines on October 13, 2020 and the House of Representatives in a special session on October 16, 2020.

(Sgd.) JOCELIA BIGHANI C. SIPIN
*Secretary General
House of Representatives*

(Sgd.) MYRA MARIE D. VILLARICA
Secretary of the Senate

Approved: DEC 23 2020

(Sgd.) **RODRIGO ROA DUTERTE**
President of the Philippines

RA 11511 amended RA 10068.

S. No. 1978
H. No. 6149

Republic of the Philippines
CONGRESS OF THE PHILIPPINES
Metro Manila

Eighteenth Congress
Third Regular Session

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

REPUBLIC ACT NO. 11700

AN ACT DECLARING THE PROVINCE OF CATANDUANES AS
THE ABACA CAPITAL OF THE PHILIPPINES

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

SECTION 1. *Declaration of Policy.* - Section 1, Article XII of the 1987 Constitution provides that the State shall promote the industrialization and full employment based on sound agricultural development and agrarian reform, through industries that make full and efficient use of human and natural resources, which are competitive in both domestic and foreign markets.

Towards this end, the State hereby recognizes the importance of abaca industry and its development as a driver of rural development not only because of its singular potential as a raw material that can increase the country's export earnings tremendously, and put the name of the country in the map of the world for producing the biggest volume of abaca fiber, but for having provided livelihood to many small farmers in the countryside.

SEC. 2. *Abaca Capital of the Philippines.* - In recognition of its status as the country's biggest producer of abaca and making the Philippines world-renowned as "Manila Hemp" in the fiber

industry, and in support to agricultural development of the province, it is hereby declared that Catanduanes be the Abaca Capital of the Philippines.

SEC. 3. *Repealing Clause.* - Any law, presidential decree or issuance, executive order, letter of instruction, rule or regulation inconsistent or contrary to the provisions of this Act is hereby repealed or modified accordingly.

SEC. 4. *Effectivity.* - This Act shall take effect fifteen (15) days after its publication in the *Official Gazette* or in at least two (2) newspapers of general circulation.

Approved,

(Sgd.) LORD ALLAN JAY Q. VELASCO (Sgd.) VICENTE C. SOTTO III
Speaker of the House *President of the Senate*
of Representatives

This Act was passed by the Senate of the Philippines as Senate Bill No. 1978 on January 31, 2022 and adopted by the House of Representatives as an amendment to House Bill No. 6149 on February 2, 2022.

(Sgd.) MARK LLANDRO L. MENDOZA (Sgd.) MYRA MARIE D. VILLARICA
Secretary General *Secretary of the Senate*
House of Representatives

Approved:

RODRIGO ROA DUTERTE
President of the Philippines

Lapsed into law on APR 15 2022 without the signature of the President, in accordance with Article VI, Section 27 (1) of the Constitution.

BATAS PAMBANSA

CABINET BILL No. 31

REPUBLIC OF THE PHILIPPINES
BATASANG PAMBANSA
Metro Manila

Second Regular Session

Begun and held in Quezon City, Metropolitan Manila, on Monday,
the twenty-third of July, nineteen hundred and seventy-nine.

BATAS PAMBANSA BLG. 65

AN ACT AMENDING FURTHER REPUBLIC ACT NUMBERED
SEVEN HUNDRED TWENTY, AS AMENDED, OTHERWISE
KNOWN AS THE "RURAL BANKS' ACT"

Be it enacted by the Batasang Pambansa in session assembled:

SECTION 1. Section 3 of Republic Act No. 720, as amended, is hereby further amended to read as follows:

"SEC. 3. In furtherance of this policy, the Monetary Board of the Central Bank of the Philippines shall formulate the necessary rules and regulations governing the establishment and operation of Rural Banks for the purpose of providing adequate credit facilities to farmers and merchants, or to cooperatives of such farmers or merchants and, in general, to the people of the rural communities, and to supervise the operation of such banks."

SEC. 2. Section 4 of Republic Act No. 720, as amended, is hereby further amended to read as follows:

"SEC. 4. No Rural Bank shall be operated without a Certificate of Authority of the Monetary Board of the Central Bank. Rural Banks shall be organized in the form of stock corporations. Duly established cooperatives and corporations primarily organized to hold equities in Rural Banks may organize a Rural Bank and/or

subscribe to the shares of stock of any Rural Bank subject to such rules as the Monetary Board may prescribe. With the exception of shareholdings of corporations organized primarily to hold equities in Rural Banks as provided for under Section 12-C of Republic Act No. 337, as amended, and of Filipino-controlled domestic banks, the capital stock of any Rural Bank shall be owned and held directly or indirectly by citizens of the Philippines. If subscription of private shareholders to the capital stock of a Rural Bank cannot be secured or is not available, or is insufficient to meet the normal credit needs of the locality, the Development Bank of the Philippines, on representation of the said private shareholders, and upon approval of the Monetary Board of the Central Bank, shall subscribe to the capital stock of such Rural Bank, which shall be paid in full at the time of subscription, in an amount equal to the fully paid subscribed capital of the private shareholders but not exceeding one million pesos or such amount as the Monetary Board may prescribe as may be necessary to promote and expand rural economic development: *Provided, however,* That such shares of stock subscribed by the Development Bank of the Philippines may be sold at any time at par to private individuals who are citizens of the Philippines: *Provided, finally,* That in the sale of shares of stock subscribed by the Development Bank of the Philippines, the registered stockholders shall have the right of pre-emption within one year from the date of offer in proportion to their respective holdings, but in the absence of such buyer, preference, however, shall be given to residents of the locality or province where the Rural Bank is located.

"All members of the Board of Directors of the Rural Bank shall be citizens of the Philippines: *Provided, however,* That no appointive or elective official, whether full-time or part-time, shall at the same time serve as officer of any Rural Bank except in cases where such service is incident to financial assistance provided by the Government or a government-owned or controlled corporation to the bank."

SEC. 3. Section 5 of the same Act is hereby amended to read as follows:

"SEC. 5. Loans or advances extended by Rural Banks organized and operated under this Act, shall be primarily for the purpose of meeting the normal credit needs of farmers or farm families owning or cultivating land dedicated to agricultural production as well as the normal credit needs of cooperatives and merchants. In the granting of loans, the Rural Bank shall give preference to the application of farmers and merchants whose cash requirements are small.

"Loans may be granted by Rural Banks on the security of lands without Torrens titles where the owner of private property can show five years or more of peaceful, continuous and uninterrupted possession in concept of owner; or of portions of friar land estates or other lands administered by the Bureau of Lands that are covered by sales contracts and the purchasers have paid at least five years installment thereon, without the necessity of prior approval and consent by the Director of Lands; or of portions of other estates under the administration of the Ministry of Agrarian Reform or other governmental agency which are likewise covered by sales contracts and the purchasers have paid at least five (5) years installment thereon, without the necessity of prior approval and consent of the Ministry of Agrarian Reform or corresponding governmental agency; or of homesteads or free patent lands pending the issuance of titles but already approved, the provisions of any law or regulations to the contrary notwithstanding: *Provided*, That when the corresponding titles are issued same shall be delivered to the register of deeds of the province where such lands are situated for the annotation of the encumbrance: *Provided*, further, That in the case of lands pending homestead or free patent titles, copies of notices for the presentation of the final proof shall also be furnished the creditor rural bank and, if the borrower-applicant fail to present the final proof within thirty (30) days from date of notice, the creditor rural bank may do so for them at their expense: *Provided, furthermore*, That the applicant for homestead or free patent has already made improvements on the land and the loan applied for is to be used for further development of the same or for other productive economic activities: *Provided, finally*, That the appraisal and verification of the status of a land ds a full responsibility of the Rural Bank and any loan granted on any land which shall be found later to be within

the forest zone shall be for the sole account of the Rural Bank to the exclusion of the Central Bank counterpart.

"The foreclosure of mortgages covering loans granted by Rural Banks and executions of judgments thereon involving real properties levied upon by a sheriff shall be exempt from the publications in newspapers now required by law where the total amount of loan, including interests due and unpaid, does not exceed Ten Thousand Pesos (P10,000.00) or such amount as the Monetary Board may prescribe as may be warranted by prevailing economic conditions. It shall be sufficient publication in such cases if the notices of foreclosure and execution of judgment are posted in the most conspicuous area of the Municipal Building, the Rural Bank and the Barangay Hall where the land mortgaged is situated during the period of sixty days immediately preceding the public auction or execution of judgment. Proof of publications as required herein shall be accomplished by affidavit of the sheriff or officer conducting the foreclosure sale or execution of judgment and shall be attached with the records of the case: *Provided*, That when a homestead or free patent land is foreclosed, the homesteader or free patent holder, as well as his heirs shall have the right to redeem the same within two years from the date of foreclosure in the case of land not covered by a Torrens title or two years from the date of the registration of the foreclosure in the case of land covered by a Torrens title: *Provided, finally*, That in the case of borrowers who are mere tenants, the produce corresponding to their share may be accepted as security."

SEC. 4. Section 7 of the same Act is hereby amended to read as follows:

"SEC. 7. To provide supplemental capital to any Rural Bank until it has accumulated enough capital of its own or stimulate private investments in Rural Banks, the Development Bank of the Philippines shall, upon certification of the Monetary Board which shall be final, of the existence of such need, subscribe within thirty days to capital stock of any Rural Bank from time to time in an amount equal to the total equity investment of the private shareholders which shall be paid in full at the time of subscription

but not exceeding one million pesos or such amount as the Monetary Board may prescribe as may be necessary to promote and expand rural economic development: *Provided, however,* That shares of stock issued to the Development Bank of the Philippines, pursuant to this section, may, at any time, be paid off at par and retired in whole or in part if, in the opinion of the Monetary Board, the Rural Bank has accumulated enough capital strength to permit retirement of such shares; or if an offer is received from private sources to replace the equity investment of the Development Bank of the Philippines with an equivalent investment or more in the equity of such Bank. In case of such retirement of stock or replacement of equity investments of the Development Bank of the Philippines, the registered private shareholders of the Rural Bank shall have the right of pre-emption within one year from date of offer in proportion to their respective holdings.

"Stock held by the Development Bank of the Philippines, under the terms of this section, shall be made preferred only as to assets upon liquidation and without the power to vote and shall share in dividend distributions not exceeding two percent thereof without preference: *Provided, however,* That if such stock of the Development Bank of the Philippines is sold to private shareholders, the same may be converted into common stock of the class provided for in section nine: *Provided, further,* That pending the amendment of the Articles of Incorporation of the Rural Bank, if necessary, for the purpose of reflecting the conversion into common stock of preferred stock sold to private shareholders, the transfer shall be recorded by the Rural Bank in the stock and transfer book and such shareholders shall thereafter enjoy all the rights and privileges of common stockholders. The preferred stocks so transferred shall be surrendered and cancelled and the corresponding common stocks shall be issued.

"The corporate secretary of the Rural Bank shall submit to the Central Bank and the Securities and Exchange Commission a report on every transfer of preferred stock to private shareholders, and such report received by the Securities and Exchange Commission shall form part of the corporate records of the Rural Bank. When

all the preferred shares of stock of a Rural Bank have been sold to private shareholders, the Articles of Incorporation of the Rural Bank shall be amended to reflect the conversion of the preferred shares of stock into common stock. For this purpose, the President, the corporate secretary, and a majority of the Board of Directors shall issue a certificate that all preferred shares have been sold and transferred to private shareholders which, together with a copy of the Articles of Incorporation, as amended, duly certified correct by the said President, corporate secretary, and a majority of the Board of Directors, shall be filed with the Securities and Exchange Commission, which shall attach the same to the original Articles of Incorporation on file with said office.

"The Securities and Exchange Commission shall not register the amended articles of incorporation unless accompanied by the certificate of authority required under Section nine of Republic Act Numbered Three Hundred and Thirty-seven, as amended."

SEC. 5. Section 9 of the same Act "is hereby amended to read as follows:

"SEC. 9. Stock preferred as to assets upon liquidation shall be issued to represent the contributions to capital stock of the Rural Bank by the Government through the Development Bank of the Philippines, and by qualified persons under such terms and conditions as the Monetary Board may prescribe. The powers of the Monetary Board over Rural Banks shall extend to prescribing the amount, value and class of stock issued by any Rural Bank, organized under this Act."

Sec. 6. Section 11 of the same Act is hereby amended to read as follows:

"SEC. 11. In addition to the operations specifically authorized in this Act, any Rural Bank may perform the following services:

"(a) Accept savings and time deposits;

"(b) Act as correspondent for other financial institutions;

"(c) Act as a collection agent;

"(d) Offer other banking services as provided in Section 72 of Republic Act No. 337, as amended.

"With written permission of the Monetary Board of the Central Bank, any Rural Bank may:

"(a) Open current or checking accounts;

"(b) Act as trustee over estates or properties of farmers and merchants;

"(c) Act as official depository of municipal, city or provincial funds in the municipality, city or province where it is located, when so authorized by the Monetary Board in accordance with the provisions of Republic Act Numbered Two hundred sixty-five, as amended, and subject to such limitations as may be deemed necessary for the protection of said funds.

"(d) Rediscount paper with the Philippine National Bank or the Development Bank of the Philippines, or other banks and their branches and agencies. The Central Bank shall specify the nature of paper deemed acceptable for rediscount, as well as the rediscount rate to be charged by any of these institutions.

"Nothing in this section shall be construed as precluding a Rural Bank from performing, with prior approval of the Monetary Board, all the services authorized for savings and mortgage banks, or for commercial banks, under Republic Act Numbered Three hundred and thirty seven, as amended, or from operating under an expanded banking authority as provided in section 21-B of the same Act."

SEC. 7. Section 11-A of the same Act is hereby amended to read as follows:

"SEC. 11-A. Rural Banks may invest in equities of allied undertakings as may be approved by the Monetary Board: *Provided*, That (a) the total investment in equities shall not exceed twenty-five percent of the net worth of the Rural Bank; (b) the equity investment in any single enterprise shall be limited to fifteen percent of the net worth of the Rural Bank; and (c) the equity investment of the Rural Bank in any single enterprise shall remain a minority holding in that enterprise except where the enterprise is not a financial intermediary: *Provided, further*, That where such allied undertaking is a wholly or majority-owned subsidiary of a Rural Bank, the same may be subject to examination by the Central Bank: *Provided, finally*, That equity investments shall not be permitted in non-related activities."

SEC. 8. Section 19 of the same Act is hereby amended to read as follows:

"SEC. 19. Every individual acting as officer or employee of a Rural Bank and handling funds or securities amounting to five thousand pesos or more, in any one year, shall be covered by an adequate bond as determined by the Monetary Board; and the by-laws of the Rural Bank may also provide for the bonding of other employees or officers of Rural Banks."

SEC. 9. All acts inconsistent herewith are hereby repealed or modified accordingly.

SEC. 10. This Act shall take effect upon its approval.

Approved,

(Sgd.) QUERUBE C. MAKALINTAL
Speaker

This Act was passed by the Batasang Pambansa on March 27, 1980.

(Sgd.) ANTONIO M. DE GUZMAN
Secretary

Approved: April 1, 1980

(Sgd.) FERDINAND E. MARCOS
President of the Philippines

P. B. No. 1880

REPUBLIC OF THE PHILIPPINES
BATASANG PAMBANSA

Fourth Regular Session

BATAS PAMBANSA BLG. 220

AN ACT AUTHORIZING THE MINISTRY OF HUMAN SETTLEMENTS TO ESTABLISH AND PROMULGATE DIFFERENT LEVELS OF STANDARDS AND TECHNICAL REQUIREMENTS FOR ECONOMIC AND SOCIALIZED HOUSING PROJECTS IN URBAN AND RURAL AREAS FROM THOSE PROVIDED UNDER PRESIDENTIAL DECREES NUMBERED NINE HUNDRED FIFTY-SEVEN, TWELVE HUNDRED SIXTEEN, TEN HUNDRED NINETY-SIX AND ELEVEN HUNDRED EIGHTY-FIVE

Be it enacted by the Batasang Pambansa in session assembled:

SECTION 1. It is hereby declared a policy of the Government to promote and encourage the development of economic and socialized housing projects, primarily by the private sector, in order to make available adequate economic and socialized housing units for average and low-income earners in urban and rural areas.

SEC. 2. As used in this Act, economic and socialized housing refers to housing units which are within affordability level of the average and low-income earners which is thirty percent (30%) of the gross family income as determined by the National Economic and Development Authority from time to time. It shall also refer to the government-initiated sites and services development and construction of economic and socialized housing projects in depressed areas.

SEC. 3. To carry out the foregoing policy, the Ministry of Human Settlements is authorized to establish and promulgate

different levels of standards and technical requirements for the development of economic and socialized housing projects and economic and socialized housing units in urban and rural areas from those provided in Presidential Decree Numbered Nine hundred fifty-seven, otherwise known as the “Subdivision and Condominium Buyers’ Protective Decree,” Presidential Decree Numbered Twelve hundred and sixteen, “Defining Open Space in Residential Subdivision”; Presidential Decree Numbered Ten hundred and ninety-six, otherwise known as the “National Building Code of the Philippines”; and Presidential Decree Numbered Eleven hundred and eighty-five, otherwise known as the “Fire Code of the Philippines” and the rules and regulations promulgated thereunder, in consultation with the Ministry of Public Works and Highways, the Integrated National Police, and other appropriate government units and instrumentalities and private associations.

SEC. 4. The standards and technical requirements to be established under Section three hereof shall provide for environmental ecology, hygiene and cleanliness, physical, cultural and spiritual development and public safety and may vary in each region, province or city depending on the availability of indigenous materials for building construction and other relevant factors.

SEC. 5. The different levels of standards and technical requirements that shall be established and promulgated by the Ministry of Human Settlements only after public hearing and shall be published in two newspapers of general circulation in the Philippines for at least once a week for two consecutive weeks and shall take effect thirty days after the last publication.

SEC. 6. This Act shall take effect upon its approval.

Approved, March 25, 1982.

P.B. No. 880

REPUBLIC OF THE PHILIPPINES
BATASANG PAMBANSA

Fifth Regular Session

BATAS PAMBANSA BLG. 337

AN ACT ENACTING A LOCAL GOVERNMENT CODE

Be it enacted by the Batasang Pambansa in session assembled:

BOOK I.—GENERAL PROVISIONS

TITLE ONE.—BASIC PRINCIPLES

CHAPTER 1.—*The Code: Policy and Application*

SECTION 1. *Title of Act.*—This Act shall be known and referred to as the “Local Government Code.”

SEC. 2. *Declaration of Policy.*—The State shall guarantee and promote the autonomy of local government units to ensure their fullest development as self-reliant communities and make them more effective partners in the pursuit of national development and social progress. To this end, the State shall constantly find and effectuate ways of enhancing their capabilities in discharging these responsibilities through a responsive and accountable local government structure instituted through a system of decentralization whereby local governments shall be given more powers, responsibilities and resources.

SEC. 3. *Scope of Application of Code.*—This Code shall apply to all local governments and, to the extent herein provided, to officials, offices or agencies of the national government.

SEC. 4. *Rules of Interpretation.*—(1) Any power of a barangay, municipality, city or province shall be liberally construed in its favor. Any fair and reasonable doubt as to the existence of the power shall be interpreted in favor of the local government unit concerned.

(2) The general welfare provisions in this Code shall be liberally interpreted so as to give more power to local governments in promoting the economic uplift, social welfare and material progress of the people in the community.

(3) Vested rights existing on the date of the effectivity of this Code arising out of contracts or any other source of obligation between a province, city, municipality or barangay and another party, shall be governed by the original terms and provisions of said contract or the law in force at the time such rights became vested and in no case shall this Code infringe on them.

(4) When in the resolution of controversies arising under this Code no legal provision or jurisprudence can be found to apply, resort may be had to the customs and traditions in the place where the controversy arose.

XXX XXX XXX

SEC. 208. *Powers and Duties.*—The *sangguniang panlalawigan* shall:

(a) Enact such ordinances as may be necessary to carry into effect and discharge the responsibilities conferred upon it by law, and such as shall be necessary and proper to provide for the health, safety, comfort and convenience, maintain peace and order, improve public morals, and promote the prosperity and general welfare of the province and its inhabitants;

(b) Prescribe reasonable limits and restraints on the use of property, and for violation of ordinances, provide for imposition of a

fine not exceeding one thousand pesos or six months imprisonment, or both such fine and imprisonment, at the discretion of the court;

(c) Levy taxes for general and special purposes and fix the taxes thereof in accordance with the provisions of this Code;

(d) Impose and fix reasonable fees and charges for all services rendered by the province to private parties;

(e) Upon the majority vote of all the members, authorize the governor to negotiate and contract loans and other forms of obligations in accordance with the provisions of this Code, or to float bonds for development projects, subject to such limitations as may be provided by law;

(f) Upon recommendation of the provincial governor, appropriate money for purposes not specified by law which will promote the general welfare of the province and its inhabitants;

(g) Fix in accordance with law the number and salaries of officials and employees of the province paid from provincial funds and provide for expenditures that are necessary for the proper conduct of the activities of the provincial government;

(h) Provide funds for the construction and maintenance and rental of buildings for the use of the province;

(i) Provide for the establishment and maintenance of an adequate provincial jail and detention center and appropriate sufficient funds for the subsistence of prisoners and detainees;

(j) Regulate and fix the license fees for sealing and licensing of weights and measures in conformity with law;

(k) Provide or facilitate the establishment and maintenance of a waterworks system or district waterworks for supplying water to inhabitants of its component cities and municipalities;

(l) Review ordinances approved by the *sanggunian* of component cities and municipalities within the authority granted by law;

(m) Authorize the payment of compensation or additional compensation, as the case may be, to any officer or employee, or to any person not in the government service appointed temporarily to fill a vacancy at a rate of salary authorized for the position pursuant to law;

(n) Provide for the establishment and operation of secondary and vocational schools and colleges subject to existing laws and regulations and, with the advice of the division superintendent of schools, fix reasonable fees for instruction therein;

(o) Provide for the establishment and maintenance of centers and facilities for the rehabilitation and reformation of vagrants, drug addicts, alcoholics, mendicants, prostitutes, juvenile delinquents and convicts on probation or parole or who have served their sentence;

(p) Adopt measures and issue regulations to protect the public from floods, conflagrations, typhoons, droughts, earthquakes and other calamities and provide relief for persons suffering from the same;

(q) Adopt measures and safeguards against pollution for the preservation of the natural eco-systems in the province, in consonance with approved standards on human settlements and environmental sanitation;

(r) Provide for the construction, improvement, repair and maintenance of roads, bridges, waterways, parks and playgrounds, and other public works, and regulate the use thereof;

(s) Make provisions within the financial capacity of the province, for the care of the poor, the aged, the sick, or persons

of unsound mind, the care and rehabilitation of delinquent and abandoned minors and other disabled or handicapped persons;

(t) Provide for the suppression of riots, vandalism, tumultuous affrays, disturbances and disorderly assemblies;

(u) Adopt measures on quarantine as may from time to time be deemed desirable or necessary to prevent the introduction and spread of diseases;

(v) Adopt such measures as would enhance the full implementation of the agrarian reform program of the government in coordination with the Ministry of Agrarian Reform; and

(w) Exercise such other powers and perform such other duties and functions as may be prescribed by law or ordinance.

SEC. 209. *Approval of Ordinances by the Governor; Veto Power.*—(1) Every ordinance or resolution passed by the *sangguniang panlalawigan* shall be forwarded to the governor.

(2) Within fifteen days after receipt of the ordinance or resolution, the governor shall return it with either his approval or his veto. If he does not return it within that time, it shall be deemed approved.

(3) If the governor should consider the ordinance or resolution prejudicial to the public welfare, he may veto it by signifying to the *sangguniang panlalawigan* his disapproval thereof in writing. *The sangguniang panlalawigan* may, by two-thirds vote of all its members, pass an ordinance or resolution over the veto of the governor, in which case it shall become effective without his approval.

(4) The governor shall have the power to veto any particular item or items of an appropriation ordinance or of an ordinance or resolution directing the payment of money or creating liability,

but the veto shall not affect the item or items to which he does not object. The item or items objected to shall not take effect unless the *sangguniang panlalawigan* overrides the veto in the manner provided in paragraph (3) of this section. The veto power of the governor shall be exercised only once upon an ordinance or resolution or upon an item or items in an appropriation ordinance.

SEC. 210. *Appropriations.*— (1) The governor shall submit to the *sangguniang panlalawigan* within the period prescribed by the Office of Budget and Management, as the basis of the general appropriations proposal, a budget of receipts based on existing and proposed revenue measures and of expenditures. The form, content, and manner of preparation of the budget shall be prescribed by law.

(2) No provision or enactment shall be embraced in the general appropriations proposal unless it relates specifically to some particular appropriations thereof. Any such provision or enactment shall be limited in operation to the appropriation to which it relates.

(3) The procedure in approving appropriations for the *sangguniang panlalawigan* shall strictly follow the procedure for approving appropriations for other provincial services and offices.

(4) If, by the end of any fiscal year, the *sangguniang panlalawigan* shall have failed to pass the general appropriations for the ensuing fiscal year, the general appropriations ordinance for the preceding fiscal year shall be deemed reenacted and shall remain in force and effect until the general appropriations proposal is passed by the said *sanggunian*.

(5) The *sangguniang panlalawigan* may appropriate funds as aid to institutions of a charitable, benevolent, or exceptional character only if the institution to be assisted is operated and maintained in the province, or in its component city or municipality, or their component barangays.

XXX XXX XXX

TITLE FOUR.—FINAL PROVISIONS

SEC. 232. *Separability Clause.*—If, for any reason or reasons, any part or provision of this Code shall be held to be unconstitutional or invalid, other parts or provisions hereof which are not affected thereby shall continue to be in full force and effect.

SEC. 233. *Repealing Clause; Metropolitan Manila and the Sangguniang Pampook of Regions IX and XII.*—(1) Except as otherwise provided herein, all laws, acts, city charters, decrees, executive orders, proclamations and administrative regulations, or part or parts thereof which are inconsistent with this Code are hereby repealed or modified accordingly.

(2) Until otherwise provided by law, nothing in this Code shall be understood to amend or repeal the pertinent provisions of Presidential Decree No. 824 and *Batas Pambansa Blg. 20*, and all presidential decrees and issuances relevant to Metropolitan Manila and the *Sangguniang Pampook* of Regions IX and XII.

SEC. 234. *Effectivity Clause.*—Unless otherwise specifically provided herein, this Code shall take effect one month after its publication in the Official Gazette.

Approved, February 10, 1983.

BP 337 amended or repealed BP 20.
BP 337 amended or repealed PD 824.

P. No. 2069S

REPUBLIC OF THE PHILIPPINES
BATASANG PAMBANSA

Sixth Regular Session

Begun and held in Quezon City, Metropolitan Manila, on Monday, the twenty-fifth day of July, nineteen hundred and eighty-three.

BATAS PAMBANSA BLG. 649

AN ACT EXEMPTING FROM PAYMENT OF DONOR'S TAX, DONATIONS OF PRIVATE AGRICULTURAL LANDS AND/OR HOMELOTS AND WAIVERS OF COMPENSATION UNDER THE AGRARIAN REFORM PROGRAM, AND FOR OTHER PURPOSES

Be it enacted by the Batasang Pambansa in session assembled:

SECTION 1. The provisions of existing laws to the contrary notwithstanding, donations of private agricultural lands and/or homelots not covered by Operation Land Transfer (OLT) under Presidential Decree Numbered Twenty-seven, as amended, made to or in favor of tenant-farmers, actual tillers and/or occupants, pursuant to the agrarian reform program of the government, shall be exempt from the payment of donor's tax. Claims for exemption under this provision shall be allowed upon certification by the Ministry of Agrarian Reform that the donee is a tenant-farmer, actual tiller and/or occupant of the land donated which, in no case, shall exceed a family-size farm and/or homelot area and that the donation conforms with the agrarian reform program of the government. For purposes of this Act, the terms 'family-size farm and/or homelot area' and "tenant-farmer, actual tiller and/or occupant" shall be understood in the sense that they are defined in existing laws, rules, regulations and guidelines establishing and implementing the land reform program of the government.

The certification shall be issued within sixty days from receipt of the request therefor.

In case the land donated is tenanted, in no case shall the security of tenure of the tenant be violated.

SEC. 2. No land and/or homelot donated under the provisions of this Act shall be further transferred to anybody except by hereditary succession or to the government. Any violation of this provision will subject the donee to liability for the payment of the donor's tax.

SEC. 3. The tax exemption provided under Section 1 hereof can also be availed of by a landowner covered by Operation Land Transfer (OLT) or his successor-in-interest who waives his right to receive the whole or the balance of the compensation due him from the Land Bank of the Philippines or the farmer-beneficiary, as the case may be, and in such case the tenant-farmer shall be relieved of the obligation to pay the amount waived. Claims for exemption under this provision shall be allowed upon certification by the Ministry of Agrarian Reform that the compensation waived has been determined to be in accordance with the provisions of Presidential Decree Numbered Twenty-seven, as amended, and its implementing guidelines, which certification shall be issued within the period provided for in Section one hereof.

SEC. 4. Fifty percent of the fair market value of the property donated as determined in the tax declaration of such property at least one year prior to the donation shall be a deduction against taxable income of the donor in the year the donation is made. If the donation is in accordance with the immediately preceding section, the deduction shall be the whole amount waived.

SEC. 5. The Minister of Finance, in consultation with the Minister of Agrarian Reform, and upon recommendation of the Commissioner of Internal Revenue, shall promulgate the necessary rules and regulations for the effective implementation of this Act.

SEC. 6. Any provision of this Act or any part thereof which may be declared unconstitutional shall not affect the other provisions hereof.

SEC. 7. This Act shall take effect upon its approval.

Approved,

(Sgd.) QUERUBE C. MAKALINTAL
Speaker

This Act was passed by the Batasang Pambansa on December 19, 1983.

(Sgd.) ANTONIO M. DEGUZMAN
Secretary General

Approved: March 7, 1984

(Sgd.) FERDINAND E. MARCOS
PRESIDENT OF THE PHILIPPINES

P. No. 1687

REPUBLIC OF THE PHILIPPINES
BATASANG PAMBANSA

First Session

BATAS PAMBANSA BLG. 869

AN ACT PROHIBITING THE ESTABLISHMENT OF SHARE
TENANCY OR AGRICULTURAL LEASEHOLD RELATION
IN LANDS ACQUIRED UNDER THE AGRARIAN REFORM
PROGRAM OF THE GOVERNMENT, PROVIDING
PENALTIES THEREFOR AND FOR OTHER PURPOSES

Be it enacted by the Batasang Pambansa in session assembled:

SECTION 1. To further carry out the objectives and purposes of the agrarian reform program of the government, the establishment of share tenancy or agricultural leasehold relation as defined by existing laws, in lands acquired under Presidential Decree Numbered Twenty-seven (27), Republic Act Numbered Thirty-eight hundred and forty-four (3844), as amended by Republic Act Numbered Sixty-three hundred and eighty-nine (6389), Republic Act Numbered Fourteen hundred (1400), Commonwealth Act Numbered Five hundred thirty-nine (539), in lands acquired by virtue of the resettlement program of the government under the administration and disposition of the Ministry of Agrarian Reform, as well as in lands which may hereafter be acquired under any agrarian reform program of the government, is hereby declared to be contrary to public policy, abolished and prohibited: *Provided*, That leasehold relations existing at the time of the approval of this Act may continue in force and effect until the end of the agricultural year.

SEC. 2. The owner of the land under Section 1 hereof or any other person who acts in collusion with the owner of the land or who acts solely on his own, who violates the provisions hereof shall upon

conviction suffer a penalty of fine in the amount of not less than one thousand pesos (P1,000.00) but not more than two thousand pesos (P2,000.00) in the discretion of the court, with subsidiary imprisonment in case of insolvency.

In addition thereto, the land shall be forfeited in favor of the government and the landowner shall not be entitled to a refund of whatever he shall have paid by way of amortization: *Provided*, That should the violator be a juridical person, the latter and its principal officers and its manager, or the person who has charge of the management or administration of the property or, in his default, the person acting in his stead shall be individually liable: *Provided, further*, That in either or both cases, the tenant so instituted and who is included as a party litigant in the case shall not be entitled to security of tenure and shall be ordered ejected by the court in the same proceedings: *and, Provided, finally*, That the guilty party or parties shall not be entitled to restitution or refund of any advances or expenses, rents or any amount on account of said tenancy relation.

SEC. 3. The land so forfeited shall be allocated to deserving citizens by the Minister of Agrarian Reform in accordance with existing laws, rules and regulations.

SEC. 4. The Ministry of Agrarian Reform, through its appropriate agencies or offices, *motu proprio* or upon the complaint of any interested party, may initiate the filing of the necessary action: *Provided*, That no such complaint shall be dismissed upon mere desistance on the part of the complainant: *and, Provided, further*, That cases falling within the purview of this Act shall be under the exclusive original jurisdiction of the Regional Trial Courts.

SEC. 5. The Ministry of Agrarian Reform shall promulgate rules and regulations to carry out effectively the aims and purposes of this Act.

SEC. 6. All laws, decrees, rules and regulations inconsistent herewith are hereby repealed and modified accordingly.

SEC. 7. This Act shall take effect upon its approval.

Approved, April 18, 1985.

P. No.1686

REPUBLIC OF THE PHILIPPINES
BATASANG PAMBANSA

First Session

BATAS PAMBANSA BLG. 870

AN ACT PROVIDING LEGAL SANCTIONS AGAINST TRANSFER
OF LANDS ACQUIRED UNDER PRESIDENTIAL DECREE
NUMBERED TWENTY-SEVEN OR THE LAND REFORM
PROGRAM OF THE GOVERNMENT AND FOR OTHER
PURPOSES

Be it enacted by the Batasang Pambansa in session assembled:

SECTION 1. Any person who, having acquired ownership of lands under the provisions of Presidential Decree Numbered Twenty-seven or the Land Reform Program of the Government and having been issued emancipation patent or title, transfers or conveys such land or any portion thereof in violation of said Presidential Decree Twenty-seven, shall lose ownership thereof, and the person, natural or juridical, in whose favor the land or portion thereof has been transferred or conveyed shall acquire no valid right or title thereto.

SEC. 2. The land or portion thereof sold, transferred or conveyed in violation of Section 1 hereof shall be forfeited in favor of the State and the owner-beneficiary shall not be entitled to a refund of whatever he shall have paid by way of amortization.

SEC. 3. The Solicitor General or his authorized representative, upon the recommendation of the Minister of Agrarian Reform, shall institute the necessary proceedings for any violation of this Act with the Regional Trial Court of the province where the land involved is situated.

The action under this section shall prescribe within ten years from the time that the Minister of Agrarian Reform shall have official knowledge of such violation.

SEC. 4. The Minister of Agrarian Reform shall reallocate the land so forfeited to qualified and deserving farmers in accordance with existing laws, rules and regulations within one year from the date the decision declaring the forfeiture of the land in favor of the State becomes final and executory.

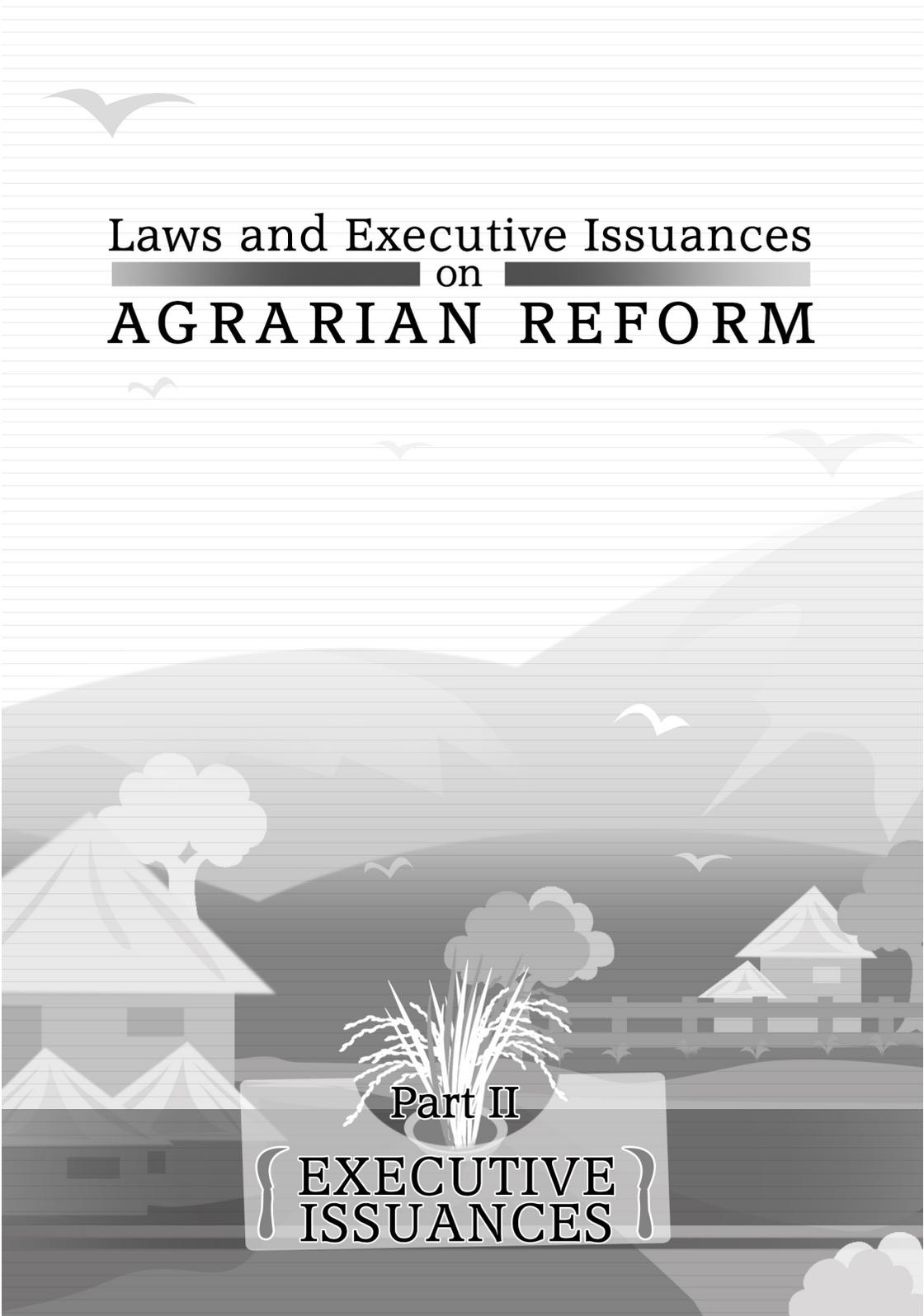
SEC. 5. The Minister of Agrarian Reform shall promulgate rules and regulations to carry out the provisions of this Act.

SEC. 6. Any provision of law, decree, executive order or administrative rule or regulation inconsistent with the provisions of this Act is hereby repealed, amended, or modified accordingly.

SEC. 7. If any provision of this Act, or its application to any person or situation is declared unconstitutional, the other provisions hereof and their application to other situations shall not be affected and shall remain in full force and effect.

SEC. 8. This Act shall take effect upon its approval.

Approved, April 18, 1985.



Laws and Executive Issuances
on
AGRARIAN REFORM

Part II

{ EXECUTIVE
ISSUANCES }

PRESIDENTIAL DECREES

PRESIDENTIAL DECREE NO. 2

PROCLAIMING THE ENTIRE COUNTRY AS A LAND REFORM AREA

WHEREAS, there is pressing need to accelerate the Agrarian Reform Program of the Government for the early attainment of the objectives set forth in Republic Act No. 3844, as amended;

WHEREAS, among such objectives is to achieve dignified existence for the small farmers free from the pernicious institutional restraints and practices which have not only retarded the agricultural development of the country but have also produced widespread discontent and unrest among our farmers, one of the causes of the existing national emergency; and

WHEREAS, it is believed that the lasting objectives of land reform may be sooner realized if the whole country is declared a land reform area;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by the constitution as Commander-in-Chief of all the Armed Forces of the Philippines, and pursuant to Proclamation No. 1081 dated September 21, 1972, and General Order No. 1, dated September 22, 1972, as amended, whereby I have assumed direction of the operation of the entire Government, do hereby proclaim the whole country, as land reform area.

All agencies and offices of the Government are enjoined to extend full cooperation and assistance to the Department of Agrarian Reform to insure the successful prosecution of the Agrarian Reform Program.

The Agrarian Reform Coordinating Council created under Executive Order No. 347, series of 1971, is hereby directed to convene immediately to exercise its functions.

The Secretary of Agrarian Reform shall take the necessary steps for the prompt and effective implementation of this decree.

Done in the City of Manila, this 26th day of September, in the year of Our Lord, nineteen hundred and seventy-two.

(Sgd.) FERDINAND E. MARCOS
President
Republic of the Philippines

PRESIDENTIAL DECREE NO. 4

PROVIDING FOR THE DEVELOPMENT OF THE RICE AND CORN INDUSTRY AND CREATING FOR THIS PURPOSE THE NATIONAL GRAINS AUTHORITY

WHEREAS, there were pending before Congress prior to the promulgation of Proclamation No. 1081, dated September 21, 1972, certain priority measures vital to the national development program of the Government, and which were duly certified by the President as urgent measures.

WHEREAS, one of these priority measures is the proposed bill entitled “An Act to Develop the Rice and Corn Industry, Create the National Grain Authority and Provide Funds Therefor.”

WHEREAS, the rice and corn industry has not been fully harnessed for the economy of the country nor has it been the object of a truly integrated development, planning, programming and implementation;

NOW, THEREFORE, I FERDINAND E. MARCOS, by virtue of the powers vested in me by the Constitution as Commander-in-Chief of all the Armed Forces of the Philippines, and pursuant to Proclamation No. 1081, dated September 21, 1972 and General Order No. 1 dated September 22, 1972, as amended, in order to effect desired changes and reforms in the social, economic and political structure of our society, do hereby decree that the “Act to Develop the Rice and Corn Industry, Create the National Grain Authority and Provide Funds Therefor” as hereto attached is hereby adopted, and approved and made as part of the law of the land.

Changes and modifications in the said “Act to Develop the Rice and Corn Industry, Create the National Grain Authority and Provide Funds Therefor” shall be made from time to time, as necessity requires, to be correspondingly announced by me or by my duly authorized representative.

This decree shall take effect immediately.

All concerned shall act accordingly.

Done in the City of Manila, this 26th day of September in the year of Our Lord, nineteen hundred and seventy two.

(Sgd.) FERDINAND E. MARCOS

By the President:

ROBERTO V. REYES
Acting Executive Secretary

PRESIDENTIAL DECREE NO. 27

DECREEING THE EMANCIPATION OF TENANT FROM THE BONDAGE OF THE SOIL, TRANSFERRING TO THEM THE OWNERSHIP OF THE LAND THEY TILL AND PROVIDING THE INSTRUMENTS AND MECHANISM THEREFOR

Inasmuch as the old concept of the land ownership by a few has spawned valid and legitimate grievances that gave rise to violent conflict and social tension,

The redness of such legitimate grievances being one of the fundamental objectives of the New Society,

Since Reformation must start with emancipation of the tiller of the soil from his bondage,

NOW, THEREFORE, I FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by the Constitution as Commander-in-Chief of all the Armed Forces of the Philippines, and pursuant to Proclamation No. 1081, dated September 21, 1972 and General Order No. 1 dated September 22, 1972 as amended do hereby decree and order the emancipation of all tenant farmers as of this day, October 21, 1972;

This shall apply to all tenant farmers of private agricultural lands primarily devoted to rice and corn under a system of sharecrop or lease-tenancy, whether classified as landed estate or not;

The tenant farmer, whether in land classified as landed estate or not, shall be deemed owner of a portion constituting a family-size farm of five (5) hectares if not irrigated and three (3) hectares if irrigated;

In all cases, the landowner may retain an area of not more than seven (7) hectares if such landowner is cultivating such area or will now cultivate it;

For the purpose of determining the cost of the land to be transferred to the tenant-farmer pursuant to this Decree, the value of the land shall be equivalent to two and one-half (2½) times the average harvest of the three normal crop years immediately preceding the promulgation of this Decree;

The total cost of the land, including the interest at the rate of six (6) per centum per annum, shall be paid by the tenant in fifteen (15) years of fifteen (15) equal annual amortizations;

In case of default, the amortizations due shall be paid by the farmers cooperative in which the defaulting tenant-farmer is a member, with the cooperative having a right of recourse against him;

The government shall guaranty such amortizations with shares of stock in government-owned and government-controlled corporations;

No title to the land owned by the tenant-farmers under this Decree shall be actually issued to a tenant-farmer unless and until the tenant-farmer has become a full-pledge member of a duly recognized farmer's cooperative;

Title to land acquired pursuant to this Decree or the Land Reform Program of the Government shall not be transferable except by hereditary succession or to the Government in accordance with the provisions of this Decree, the Code of Agrarian Reforms and other existing laws and regulations;

The Department of Agrarian Reform through its Secretary is hereby empowered to promulgate rules and regulations for the implementation of this Decree.

All laws, executive orders, decrees and rules and regulations, or parts thereof, inconsistent with this Decree are hereby repealed and or modified accordingly.

Done in the City of Manila, this 21st day of October, in the year of Our Lord, nineteen hundred and seventy-two.

(Sgd.) FERDINAND E. MARCOS
President of the Philippines

MALACAÑANG
Manila

PRESIDENTIAL DECREE NO. 84

**AUTHORIZING THE SECRETARY OF AGRARIAN REFORM
TO SIGN ON BEHALF OF THE PRESIDENT OF THE
PHILIPPINES LAND TRANSFER CERTIFICATES ISSUED
TO TENANT-FARMERS PURSUANT TO PRESIDENTIAL
DECREE NO. 27**

WHEREAS, it is my desire that the land reform program of the Government be implemented with maximum efficiency and speed;

WHEREAS, the distribution of the Land Transfer Certificates to be issued pursuant to the implementing Rules and Regulations for Presidential Decree No. 27 will be expedited if the Secretary of Agrarian Reform is authorized to sign and issue such Certificates in the name of, and on behalf of, the President of the Republic of the Philippines;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers in me vested by the Constitution, and pursuant to Proclamation No. 1081, dated September 21, 1972, and General Order No. 1, dated September 22, 1972, do hereby authorize and empower the Secretary of Agrarian Reform to sign and issue the Land Transfer Certificates to be issued pursuant to Presidential Decree No. 27 in the name and on behalf of the President of the Republic of the Philippines.

This Decree shall take effect immediately; it shall be part of the law of the land.

Done in the City of Manila, this 22nd day of December, in the year of Our Lord, nineteen hundred and seventy-two.

(Sgd.) FERDINAND E. MARCOS
President of the Philippines

By the President:

(Sgd.) ROBERTO V. REYES
Assistant Executive Secretary

MALACAÑANG
MANILA

PRESIDENTIAL DECREE NO. 85

**CREATING THE AGRARIAN REFORM FUND TO SUPPORT
FINANCING REQUIREMENTS OF AGRARIAN REFORM
PROVIDED IN PRESIDENTIAL DECREE NO. 27 AND FOR
OTHER PURPOSES**

WHEREAS, there is an imperative need for immediate implementation of agrarian reform provided in Presidential Decree No. 27 dated October 21, 1972;

WHEREAS, such implementation calls for timely and adequate financial support in all phases involved in the execution of desired agrarian reforms;

WHEREAS, there is need to mobilize and harness properly available resources to provide necessary funds for the realization of government agrarian reform;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by the Constitution as Commander-in-Chief of all the Armed Forces of the Philippines and pursuant to Proclamation No. 1081 dated September 21, 1972 and General Order No. 1 dated September 22, 1972, as amended, do hereby order and decree:

SECTION 1. *Establishment of the Agrarian Reform Fund.* An Agrarian Reform Fund, hereinafter referred to as the "Fund" is hereby established to finance and/or guaranty the payment of farm lots acquired under Proclamation No. 27, dated October 21, 1972, and to extend agricultural credit support and the corresponding guarantee coverage to achieve a high level of production in land reform areas of the country.

The resources of the Fund shall be drawn from the following:

1. Central Bank of the Philippines
 - a. Bonds in Portfolio
2. Guarantee Funds
 - a. Agricultural Guarantee Fund
 - b. Agricultural Guarantee and Loan Fund
 - c. CB-Loan Guarantee Fund (Calamity Fund)
3. Development Bank of the Philippines
 - a. Preferred shares in client corporations
 - b. Government-counterpart preferred stocks in rural banks
 - c. Preferred stocks in development banks
 - d. Acquired assets
 - e. Reparations Account Receivables
 - f. Other disposable assets
4. Philippine National Bank
 - a. Acquired assets
5. National Investment and Development Corporation
 - a. Acquired assets

6. Government Service Insurance System
 - a. Acquired assets
7. Land Bank
 - a. Shares of stock owned or controlled by the Government
8. Agrarian Reform Special Account
 - a. Allocation for Agricultural Guarantee Fund and Land Bank
9. Proceeds from foreign loans
10. Social Security System
 - a. Acquired assets
11. Other disposable assets of the government as may be available for the land reform program.
12. Other funds and resources provided by law.

The resources listed above shall be turned over to the Agrarian Reform Fund at such time, terms, prices and conditions as shall be agreed upon between the Agrarian Reform Fund Commission and the financial institution and government agencies concerned, payment to be made by the former to latter in Agrarian Reform Bonds issued pursuant to Section 5 of this Decree.

SEC. 2. *Utilization of the Resources of the Fund.* All resources of the Fund shall be utilized for the attainment of the objectives of the Fund as follows;

1. Financing of acquisition of lands under any of the following modes of settlement;
 - (a) Cash payment, subject to availability of funds, for small landholding;
 - (b) Exchange arrangement for government stocks in government-owned or controlled corporations or private corporations where the government has holdings;
 - (c) Payment through the establishment of annuities of pensions with guarantee against inflation and/or medical insurance;
 - (d) Full guaranty on the payment of the fifteen (15) equal annual amortizations to be made by the tenant-farmers; and
 - (e) Such other modes of settlement as may be adopted by the Agrarian Reform Fund Commission.

2. Financing agricultural production and/or commodity loans through banking institutions and/or issuance of guarantee of losses up to eighty-five (85%) per cent of the amount of the production loan under such terms and conditions as the Agrarian Reform Fund Commission may prescribe.

SEC. 3. *Administration of the Fund.* There is hereby created an Agrarian Reform Fund Commission, hereinafter referred to as the Commission, composed of the Secretary of Finance as Chairman and the Governor of the Central Bank of the Philippines and the Secretary of Agrarian Reform as members, which shall administer the Fund. In the event that the Chairman or any members of the Commission is unable to attend any meeting thereof he shall designate the next ranking official of the office or agency concerned to represent him in the meeting of the Commission.

Operational expenses of the Commission shall be advanced by the Central Bank of the Philippines until such time as the Fund generates income sufficient for the purpose. The Commission shall reimburse the Central Bank for its advances, including interests, if any, as soon as possible.

SEC. 4. *Powers and Duties of the Commission.* The Commission shall have exclusive administration and control of the Fund, which shall include the authority to invest and dispose of the assets under its administration. For this purpose, it shall be empowered to promulgate such rules and regulations necessary for effective operations of the Fund and may execute acts or perform activities for the best interest of the Fund.

SEC. 5. *Issuance of Bonds.* The Secretary of Finance shall, upon recommendation of the Commission and the Monetary Board of the Central Bank and with the approval of the President of the Philippines, issue bonds, debentures and other evidences of indebtedness for the account of the Fund at such terms, rates and conditions to be determined by the Commission. Such bonds and other obligations shall be secured by the assets of the Fund and shall be fully tax exempt both as to principal and income. Said income shall be paid to the landholders every six months from the date of issue.

These bonds and other obligations issued for the account of the Fund shall be direct obligations of the Government of the Republic of the Philippines and shall be redeemable at the option of the Commission at or prior to maturity, which, in no case shall exceed twenty-five (25) years.

SEC. 6. *Reorganization of the Land Bank.* The Agrarian Reform Fund Commission, as holder of all the shares of the Land Bank owned or controlled by the Government, is hereby authorized, with the approval of the President of the Philippines, to reorganize the Land Bank, modify its operations and functions and exercise its powers and manage its property, the provisions of Republic Act No. 3844, as amended, notwithstanding.

SEC. 7. *Tax Exemptions.* All assets and earnings of the Fund shall be exempt from all national, provincial, municipal and city taxes and assessments now in force and may hereinafter be imposed.

SEC. 8. *Repealing Clause.* All laws, executive orders, rules or regulations or parts thereof inconsistent with this Decree are hereby repealed and/or modified accordingly.

SEC. 9. *Effectivity.* This Decree shall take effect immediately.

Done in the City of Manila, this 24th day of December, in the year of Our Lord, nineteen hundred and seventy-two.

(Sgd.) FERDINAND E. MARCOS
President of the Philippines

By the President :

(Sgd.) ALEJANDRO MELCHOR
Executive Secretary

PRESIDENTIAL DECREE NO. 251

AMENDING CERTAIN PROVISIONS OF REPUBLIC ACT NUMBERED THREE THOUSAND EIGHT HUNDRED FORTY-FOUR, AS AMENDED, ENTITLED "THE CODE OF AGRARIAN REFORM IN THE PHILIPPINES"

WHEREAS, there is imperative need for immediate implementation of agrarian reform envisioned under Presidential Decree Nos. 27 and 85 dated October 21, 1972 and December 25, 1972, respectively;

WHEREAS, the implementation of such a revolutionary program of rural change demands an effective administrative machinery financially and organizationally equipped to mobilize and harness properly all available government resources for the realization of desired agrarian reform;

WHEREAS, the Land Bank, the only financial institution established for agrarian reform, is presently deficient and inadequate both in capitalization and in organization structure to meet the implementation requirements of the agrarian reform program;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by the Constitution as Commander-in-Chief of all the Armed Forces of the Philippines and pursuant to Proclamation No. 1081 dated September 21, 1972, and General Order No. 1, dated September 22, 1972, as amended, do hereby order and decree:

SECTION 1. Section seventy-four of Republic Act Numbered Three thousand eight hundred and forty-four, as amended, is hereby further amended to read as follows:

"SEC. 74. *Creation.* To provide timely and adequate financial support in all phases involved in the execution of needed agrarian reform, there is hereby established a body corporate and government instrumentality to be known as the "Land Bank of the Philippines,"

hereinafter called the “Bank,” which shall have its principal place of Business in Greater Manila. The legal existence of the Bank shall be for a period of fifty (50) years from the date of approval hereof.”

SEC. 2. Section seventy-five of the same Act is hereby amended to read as follows:

“SEC.. 75. *Powers in General.* The bank shall have the power.

“1. To prescribe, repeal and alter its own by-laws to determine its operating policies, and to issue such rules and regulations as may be necessary;

“2. To adopt, alter and use a corporate seal;

“3. To hold, purchase, acquire and own real and personal property, introduce necessary improvements thereon to enhance and develop their social and economic values, and to sell, mortgage or otherwise dispose of the same;

“4. To sue and be sued, make contracts, negotiate and secure loans from both local and foreign sources. Before undertaking any such credit operation, the Bank, through the Secretary of Finance, shall request the opinion, in writing, of the Monetary Board on the monetary implications of the contemplated action. All loans from foreign sources shall be subject to approval by the President of the Philippines and shall be fully guaranteed by the Philippine Government;

“5. To grant short, medium and long term loans and advances against security of real estate and/or other acceptable assets for the establishment, development or expansion of agricultural, industrial, home building or home financing projects and other productive enterprises;

“6. To grant loans to farmers’ cooperatives/associations to facilitate production, marketing of crops and acquisition of essential commodities;

“7. To finance and/or guarantee the acquisition, under Presidential Decree No. 85 dated December 25, 1972, of farm lots transferred to tenant-farmers pursuant to Presidential Decree No. 27 dated October 21, 1972;

“8. To underwrite, hold, own, purchase, acquire, sell, mortgage, dispose or otherwise invest or reinvest in stocks, bonds, debentures, securities and other evidences of indebtedness of other corporations and of the government or its instrumentalities which are issued for or in connection with any project or enterprise;

“9. The provision of any law to the contrary notwithstanding, to guarantee acceptance(s), credits, loans, transactions or obligations of any person, co-partnership, association or corporation in favor of any financing or banking institution, whether foreign or domestic: *Provided*, That the proceeds of such acceptances, credits, loans, transactions or obligations are utilized or earmarked for the development and/or expansion of agriculture and industry;

“10. To borrow from, or rediscount notes, bills of exchange and other commercial papers with, the Central Bank. The rate of interest to be charged and the conditions on such obligations or borrowings shall be subject to the rules and regulations of the Monetary Board;

“11. To act as trustee, or administer any trust or hold property in trust in accordance with the provisions of law governing trust corporations; and

“12. To exercise the general powers mentioned in the Corporation Law and the General Banking Act, as amended, insofar as they are not inconsistent or incompatible with this Decree.”

SEC. 3. Section seventy-six of the same Act is hereby amended to read as follows:

“SEC. 76. *Issuance of Bonds.* The bank shall, upon recommendation of the Secretary of Finance and after consultation with the National Economic and Development Authority and the

Monetary Board, and with the approval of the President of the Philippines, issue bonds, debentures, securities, collaterals and other evidences of indebtedness, rates and conditions as the Bank may determine, up to an aggregate amount not exceeding, at any one time, ten times its paid-in capital and surplus. These bonds and other obligations shall be redeemable at the option of the Bank at or before maturity and in such manner as may be stipulated therein and shall bear such rate of interest as may be fixed by the Bank. Such obligations shall be secured by the assets of the Bank including the stocks, bonds, debentures, and other securities underwritten, purchased or held by it under the provisions of this Decree. Such obligations may be issued in payment and/or replacement of certain assets transferred to the Bank and/or offered for sale at such price or prices as the Bank may determine, and shall be exempt from taxation both as to principal and interest, and shall be fully guaranteed by the Government of the Republic of the Philippines, and such guarantee shall be expressed on the face thereof. These instruments of indebtedness shall be negotiable and may be mortgaged in accordance with established banking procedures and practices with the government institutions, their existing charters and/or laws to the contrary notwithstanding, to enable the holders of such bonds to make use of them in investments in productive enterprises. The Board of Directors shall have the power to prescribe rules and regulations for the issuance, reissuance, servicing, placement and redemption of the bonds herein authorized to be issued as well as the registration of such bonds at the request of the holders thereof.

SEC. 4. Section seventy-seven of the same Act is hereby amended to read as follows:

“SEC. 77. *Issuance of Preferred Shares of Stock to Finance Acquisition of Farm Lots and Other Assets.* The Bank shall issue, from time to time, preferred shares of stock in such quantities as may be necessary to pay the landowners in accordance with Section eighty and eighty-one of this Code, and for acquisition of other assets should the seller elect to accept such payment. The amount of shares that the Bank may issue shall not exceed the aggregate amount needed to pay the landowners in the proportion prescribed

in said Section eighty of this Code. The Board of Directors shall include as a necessary part of the by-laws that it shall issue under Section seventy-five of this Code, such formula as it deems adequate for determining the net asset value of its holdings as a guide and basis for the issuance of preferred shares. The shares of stock issued under the authority of this provision shall be guaranteed a rate of return of at least six per centum. In the event that the earnings of the Bank for any single fiscal year are not sufficient to enable the Bank, after making reasonable allowance for administration, contingencies and growth, to declare dividends at the guaranteed rate, the amount equivalent to the difference between the Bank's earnings available for dividends and that necessary to pay the guaranteed rate shall be paid by the Bank out of its own assets but the government shall, on the same day that the Bank make such payment, reimburse the latter in full, for which purpose such amounts as may be necessary to enable the Government to make such reimbursements are hereby appropriated out of any moneys in the National Treasury not otherwise appropriated. The Bank shall give sufficient notice to the Budget Commissioner and the Secretary of Finance in the event that it is not able to pay the guaranteed rate of return on any fiscal period. The guaranteed rate of return on these shares shall not preclude the holders thereof from participating at a percentage higher than six per centum should the earnings of the Bank for the corresponding fiscal period exceed the guaranteed rate of return. The Board of Directors shall declare and distribute dividends within three months after the close of each fiscal year at the guaranteed rate unless a higher rate of return is justified by the Bank's earnings after making reasonable allowance for administration, contingencies and growth, in which case, dividends shall be declared and distributed at a higher rate. The capital gains derived from the sale or transfer of such shares and all income derived therefrom in the form of dividends shall be fully tax-exempt."

SEC. 5. Section seventy-eight of the same Act is hereby amended to read as follows:

“SEC. 78. *Special Guaranty Fund.* In the event that the Bank shall be unable to pay the bonds, debentures and other obligations issued by it, a fixed amount thereof shall be paid from a special guaranty fund to be set up by the Government, to guarantee the obligation of the Bank, and established in accordance with this Section and, thereupon, to the extent of the amounts so paid, the Government of the Republic of the Philippines shall succeed to all rights of the holders of such bonds, debentures or other obligations: *Provided, however,* That the Government shall pay into the guaranty fund the sum of five million pesos each year until the cumulative total of such guaranty fund is no less than twenty per cent of the outstanding net obligation of the Bank at the end of any calendar year.

“The special guaranty fund shall be administered by the Central Bank of the Philippines in the manner most consistent with its charter. For the purpose of such funds, the sum of five million pesos is hereby appropriated annually out of any moneys in the National Treasury not otherwise appropriated, until the total amount of one hundred million pesos shall have been attained therefrom.”

SEC. 6. Section seventy-nine of the same Act is hereby amended to read as follows:

“SEC. 79. *Receipts of Deposits.* The Bank, subject to the provisions of the General Banking Act, as amended, is authorized to receive demand, savings and time deposits.

“The Secretary of Finance, the National Treasurer and his authorized representatives, city and municipal treasurers as well as custodians of funds or those belonging to government-owned or controlled corporations, may be authorized by the Monetary Board to make and actually maintain deposits of any government or corporate funds with the Land Bank.

“SEC. 79-A. Administration of Agricultural Guarantee Funds. All agricultural guarantee funds shall be converted into a trust fund to be administered by the Bank.”

SEC. 7. Section eighty of the same Act is hereby amended to read as follows:

“SEC. 80. *Modes of Payment.* The Bank shall finance the acquisition of farm lots under any of the following modes of settlement:

“1. Cash payment of 10% and balance in 25-year tax-free 6% Land Bank bonds;

“2. Payment of 30% in preferred shares of stock issued by the Bank and balance in 25-year tax-free 6% Land Bank bonds;

“3. Full guarantee on the payment of the fifteen (15) equal annual amortizations to be made by the tenant/farmer;

“4. Payment through the establishment of annuities or pensions with insurance;

“5. Exchange arrangement for government stocks in government-owned or controlled corporations or private corporations where the government has holdings;

“6. Such other modes of settlement as may be further adopted by the Board of Directors and approved by the President of the Philippines.

In the event there is existing lien or encumbrance on the land in favor of any Government lending institution at the time of acquisition by the Bank, the landowner shall be paid the net value of the land (i.e., the value of the land determined under Proclamation No. 27 minus the outstanding balance/s of the obligation/s secured by the lien/s or encumbrance/s), and the outstanding balance/s of the obligations to the lending institution/s shall be paid by the Land

Bank in Land Bank bonds or other securities; existing charters of those institutions to the contrary notwithstanding. A similar settlement may be negotiated by the Land Bank in the case of obligations secured by liens or encumbrances in favor of private parties or institutions.

“Whenever the Bank pays the whole or a portion of the total cost of farm lots, the Bank shall be subrogated by reason thereof, to the right of the landowner to collect and receive the yearly amortizations on farm lots or the amount paid including interest thereon, from tenant/farmers in whose favor said farm lots had been transferred pursuant to Presidential Decree No. 27, dated October 21, 1972.

“The profits accruing from payment shall be exempt from tax on capital gains.”

SEC. 8. Section eighty-one of the same Act is hereby amended to read as follows:

“SEC. 81. *Capital.* The authorized capital stock of the Bank shall be three billion pesos, divided into one hundred and eighty million common shares with a par value of ten pesos each, which shall be fully subscribed by the Government, and one hundred and twenty million preferred shares with a par value of ten pesos each, which shall be issued in accordance with the provisions of Sections seventy-seven and eighty-three of this Code. These preferred shares shall be non-voting. The Board, upon the recommendation of the Secretary of Finance and with the approval of the President of the Philippines, may increase the capitalization of the Bank up to such an amount as may be necessary to attain the objectives of this Act. The total capital stock subscribed by the Government shall be paid by the Agrarian Reform Fund Commission created under Presidential Decree No. 85, hereinafter referred to as the “Commission,” as follows: four hundred million pesos within sixty (60) days from the approval of this Decree, and at least one hundred million pesos every year thereafter until the total subscription of the Government is fully paid: *Provided*, That the common and preferred shares of the

Bank which have been issued, including those already subscribed, shall form part of the increased capitalization of the Bank: Provided, further, That the Government is authorized to appropriate funds out of the National Treasury for this purpose.”

SEC. 9. Section eighty-three of the same Act is hereby amended as follows:

“SEC 83. *Preferred Shares.* All preferred shares or stock issued under Section seventy-seven of this Code shall be entitled to the income earned by the Bank on its investments and other operations: *Provided*, That the holders of such preferred shares of stock shall not bring derivative suits against the Bank. Such preferred shares shall be fully transferrable: *Provided, further*, That upon the liquidation of the Bank, the redemption of such preferred shares shall be given priority.”

SEC. 10. Section eighty-four of the same Act is hereby amended to read as follows:

“SEC. 84. *Voting of Shares.* The voting power of all the common shares of stock of the Bank owned and controlled by the Government shall be vested in the President of the Philippines or in any ex-officio member of the Board of Directors of the Bank as he may designate.”

SEC. 11. Section eighty-five of the same Act is hereby amended to read as follows:

“SEC. 85. *Use of Bonds.* The bonds issued by the Bank may be used by the holder thereof and shall be accepted for any of the following:

“1. Payment for agricultural lands or other real properties purchased from the Government.

“2. Payment for the purchase of shares of stock or assets or government-owned or controlled corporations.

“Upon offer by the bondholders, the corporation owned or controlled by the Government shall, through its Board of Directors, negotiate with such bondholder with respect to the price and other terms and conditions of the sale. In case there are various bondholders making the offer, the one willing to purchase under terms and conditions most favorable to the corporation shall be preferred. If no price is acceptable to the corporation, the same shall be determined by the Committee of Appraisers composed of three members, one to be appointed by the corporation, another by the bondholder making the highest or only offer, and the third by the two members, so chosen. The expense of appraisal shall be borne equally by the corporation and the successful purchaser.

“Should the Government offer for sale to the public any or all the shares of stock or the assets of any of the Government-owned or controlled corporations, the bidder who offers to pay in bonds of the Land Bank shall be preferred, provided that the various bids be equal in every respect except in the medium of payment.

“3. Surety, bail bonds for the provisional release of accused person or performance bonds in all cases where the Government may require or accept real property as bonds.

“4. Security for loans applied with the Philippine National Bank of the Philippines, Government Service Insurance System, Social Security System, and other governmental financial institutions, existing charters of these institutions to the contrary notwithstanding.

“5. Payment for reparations goods the provisions of Republic Act Nos. 1700 and 90, as amended, to the contrary notwithstanding.

SEC. 12. Section eighty-six of the same Act is hereby amended to read as follows:

“SEC. 86. *Board of Directors; Membership; Per Diem.* The affairs and business of the Bank shall be directed and its property managed and preserved by a Board of Directors consisting of seven

(7) members to be composed of the Secretary of Finance as Chairman, the President of the Bank as Vice-Chairman, the Secretary of Agrarian Reform and the Secretary of Labor as *ex-officio* members, and three members to be elected as hereinafter provided.

“Annually, on the first Tuesday after the first Monday in December, the stockholders shall meet to take up, among others, the election of two (2) members of the Board of Directors for the succeeding year, each common shareholder or proxy to be entitled to as many votes as he may have shares of stock registered in his name on the 31st day of October last preceding and held by him at the time of the election.

“The Board shall convene as frequently as is necessary to discharge its responsibilities properly, but shall meet at least once every two weeks. The Board may be convoked either by the Chairman or, in his absence, the Vice-Chairman.

“The presence of four (4) members shall constitute a quorum.

“All decisions of the Board shall require the concurrence of at least four (4) members.

“The Chairman and the members of the Board shall receive a per diem of two hundred fifty pesos for each session of the Board attended, but in no case to exceed two thousand pesos a month.

“SEC. 86-A. *Powers and Responsibilities of the Board.* The Board of Directors shall have, among others, the following specific powers and responsibilities:

“1. Formulate policies, rules and regulations for the effective operation of the Bank;

“2. Take decisions concerning loans as well as fix the rates of interest thereon, guarantees, investments, borrowing by the Bank, furnishing of technical assistance and other operations of the Bank;

“3. Establish such branches and agencies as may be deemed necessary and convenient;

“4. Provide for the appointment and removal and fix the reasonable compensation of such personnel as may be necessary for the expeditious conduct of the business of the Bank; and

“5. Approve the budget of the Bank.”

SEC. 13. Section eighty-seven of the same Act is hereby amended to read as follows:

“SEC. 87. *Executive Officers; Compensation.* The Chief Executive of the Bank shall be the President, who shall be chosen and may be removed by the Board of Directors with the advice and consent of the President of the Philippines. His salary shall be fixed by the Board of Directors with the approval of the President of the Philippines. The President shall be assisted by Vice-Presidents as may be required, whose appointments and removal shall be approved and whose salaries shall be fixed by the Board of Directors upon recommendation of the President of the Bank.

“SEC. 87-A. *Duties and Powers of the President.* The President of the Bank shall, among others, execute the policies, measures, orders and resolutions promulgated by the Board of Directors and supervise and administer the operation of the Bank. He shall be the legal representative of the Bank and shall make all contracts, enter into all necessary obligations on behalf of the bank, and recommend changes of policies which may to him seem best. He shall furnish, upon request of the President of the Philippines, any information in his possession regarding the operations of the bank.

SEC. 14. Section eighty-eight of the same Act is hereby amended to read as follows:

“SEC. 88. *Qualifications of Executive Officers.* No person shall be appointed to any executive position in the Bank mentioned in the preceding section unless he be of good moral character and

unquestionable integrity and responsibility, and who is of recognized competence in the field of economics, agriculture, industry, banking and/or finance, at least thirty-five (35) years of age and possessed of demonstrated administrative skill and ability.”

SEC. 15. Section eighty-nine of the same Act is hereby amended to read as follows:

“SEC. 89. *Withdrawal of Person Having Personal Interest.* Whenever any member attending a meeting of the Board has a personal interest of any sort in the discussion or resolution of any given matter, or any of his relatives within the fourth degree of consanguinity or a second degree of affinity has such interest, said member shall not participate in the discussion or resolution of the matter and must retire from the meeting during the deliberations thereon. The subject matter, when resolved, and the fact that a member had a personal interest in it, shall be made available to the public. The minutes of the meeting shall note the withdrawal of the member concerned.”

SEC. 16. Section ninety of the same Act is hereby amended to read as follows:

“SEC. 90. *Personnel.* The Board of Directors shall provide for an organization and staff of officers and employees of the Bank and upon recommendation of the President of the Bank, appoint and fix their remunerations and other emoluments, and remove such officers and employees; *Provided*, That the Board shall have exclusive and final authority to promote, transfer, assign or reassign personnel of the Bank, any provisions of existing law to the contrary notwithstanding.

“The Bank officers and employees, including all members of the Board, shall not engage directly or indirectly in partisan activities or take part in any election except to vote.

“No officer or employee of the Bank subject to the Civil Service Law and regulations shall be removed or suspended except for cause as provided by law.”

SEC. 17. Section ninety-one of the same Act is hereby amended to read as follows:

“SEC. 91. *Legal Counsel.* Any provision of existing law or executive order to the contrary notwithstanding, the Bank shall have its own Legal Department, the chief and members of which shall be appointed by the Board of Directors.”

SEC. 18. Section ninety-two of the same Act is hereby amended to read as follows:

“SEC. 92. *Auditor.* The Chairman of the Commission on Audit shall act as the ex-officio Auditor of the Bank and, as such, he is empowered and authorized to appoint a representative who shall be the auditor in charge of the auditing office of the Bank and in accordance with law, fix his salary, and to appoint and fix the salaries and number of personnel to assist said representative in his work, but in all cases subject to the approval of the Board of Directors. The salaries and all other expenses of maintaining the auditor’s office shall be paid by the Bank. The Auditor of the Bank and personnel under him may be removed only by the Commission on Audit.”

SEC. 19. Section ninety-three of the same Act is hereby amended to read as follows:

“SEC. 93. *Report on Condition of the Bank.* The representative of the Commission on Audit shall make a quarterly report on the condition of the Bank to the President of the Philippines, to the Secretary of Finance, to the Chairman of the Commission on Audit, and to the Board of Directors of the Bank. The report shall contain, among other things, a statement of the resources and liabilities, including earnings and expenses, the amount of capital stock, surplus, reserve and profits, as well as losses, bad debts, and

suspended and overdue paper carried in the books and assets of the Bank.”

SEC. 20. Section ninety-five of the same Act is hereby repealed.

SEC. 21. Section ninety-seven of the same Act is hereby amended to read as follows:

“SEC. 97. *Central Bank Supervision.* The Bank shall be under the supervision and regulation of the Central Bank of the Philippines.”

SEC. 22. Section ninety-eight of the same Act is hereby amended to read as follows:

“SEC. 98. *Tax Exemptions.* The Land Bank shall be exempt from all national, provincial, municipal, and city taxes and assessment now enforced or hereinafter established.

“The exemption authorized in the preceding paragraph of this section shall apply to all property of the Bank, to the resources, receipts, expenditures, profits and income of the Bank, as well as to all contracts, deeds, documents and transactions related to the conduct of the business of the Bank, *Provided*, That said exemptions shall apply only to such taxes and assessments payable by persons or other entities doing business with the Bank.”

SEC. 23. Section ninety-nine of the same Act is hereby amended to read as follows:

“SEC. 99. *Reorganization of the Bank.* The Bank shall be reorganized within ninety (90) days from the date this Decree take effect. The present personnel complement of the Bank shall in the interim continue to discharge their respective functions. Officials and personnel whose services may be dispensed with as a result of this reorganization shall be paid the usual gratuities to which they may be entitled under existing law.”

SEC. 24. Section one hundred of the same Act is hereby amended to read as follows:

“SEC. 100. *Penalty for Violation of the Provisions of this Chapter.* Any director, officer, employee or agent of the Bank who violates or permits the violation of any of the provisions of this Chapter or any person aiding or abetting the violation of any of the provisions of this Chapter, shall be punished by a fine of not to exceed ten thousand pesos or by imprisonment of not more than five years, or both, such fine and imprisonment at the discretion of the Court.”

SEC. 25. Applicability of Republic Act. No. 337 as amended, and Presidential Decree No. 129. The provisions of the General Banking Act (Republic Act No. 337, as amended) and of Presidential Decree No. 129 insofar as they are not in conflict or inconsistent with the provisions of this Act shall apply to this Bank.

SEC. 26. *Repealing Clause.* All laws, executive orders, rules and regulations or parts thereof inconsistent with this Decree are hereby repealed and/or modified accordingly.

SEC. 27. *Effectivity.* This Decree shall take effect immediately.

Done in the City of Manila, this 21st day of July, in the year of Our Lord, nineteen hundred and seventy-three.

(Sgd.) FERDINAND E. MARCOS
President of the Philippines

By the President :

(Sgd.) ROBERTO V. REYES
Assistant Executive Secretary

MALACAÑANG
Manila

PRESIDENTIAL DECREE NO. 287

**APPROPRIATING FUNDS TO THE DEPARTMENT OF AGRARIAN
REFORM TO FINANCE THE ACQUISITION OF HAND
TRACTORS**

WHEREAS, it is the concern of the New Society to emancipate tillers of the soil from their bondage of tenancy and to encourage them to produce more food crops to attain self-sufficiency by the adoption of modern farm practices through the utilization of low-cost hand tractors;

WHEREAS, the Philippines has the lowest rate of farm mechanization in the world, as reflected in the following facts: Japan- 3.5 deployed horsepower per hectare; U.S. & Europe 3 h.p.; Taiwan 2 h.p.; Asia 0.9 h.p. and Philippines 0.9 h.p.;

WHEREAS, the local sources of hand tractors cannot supply the immediate needs of the emancipated farmers involved in the Masagana 99 and the Palayan Ng Bayan Programs of the Government;

WHEREAS, the immediate procurement of hand tractors will accelerate the achievement of government goals in food production.

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers in me vested by the Constitution as Commander-in-Chief of all the Armed Forces of the Philippines, and pursuant to Proclamation No. 1081, dated September 21, 1972, and General Order No. 1, dated September 22, 1972, as amended, do hereby order and decree that the sum of ONE HUNDRED FORTY MILLION PESOS is hereby appropriated to the Department of Agrarian Reform out of which TWENTY MILLION PESOS shall be programmed for FY 1973-74 and the balance shall be programmed in like amounts annually thereafter

for six (6) years to finance the cost of acquisition and related cost of 5,000 units of hand tractors for resale at reasonable cost to the emancipated farmers in areas covered by Presidential Decree No. 27 to meet the requirements of Masagana 99 and the Palayan Ng Bayan Programs of the Government.

The Department of Agrarian Reform shall formulate the rules and regulations to cover the distribution of these hand tractors and the collection of their amortization.

This Decree shall take effect immediately.

DONE in the City of Manila, this 6th day of September, in the year of Our Lord, nineteen hundred and seventy-three.

(Sgd.) FERDINAND E. MARCOS
President of the Philippines

By the President:

(Sgd.) ROBERTO V. REYES
Assistant Executive Secretary

MALACAÑANG
Manila

PRESIDENTIAL DECREE NO. 316

**PROHIBITING THE EJECTION OF TENANT-TILLERS FROM
THEIR FARMHOLDINGS PENDING THE PROMULGATION
OF THE RULES AND REGULATIONS IMPLEMENTING
PRESIDENTIAL DECREE NO. 27**

WHEREAS, notwithstanding my earlier instructions that no tenant-farmer shall be ejected from the land cultivated by him, many landowners are ejecting or threatening to eject their tenants;

WHEREAS, numerous complaints for ejection have been filed in the Courts by landowners against their tenants and orders have been issued enjoining or restraining the latter from entering and cultivating their farmholdings or impounding their harvest; and likewise, numerous criminal cases have been filed by landowners against tenant-tillers which arise from the possession and cultivation of farmholdings and other agrarian causes, as a result of which tenant-farmers have been arrested and detained;

WHEREAS, the aforementioned acts have resulted in strained relations between landowners and tenant-farmers or tillers of the soil which threaten to disturb the peace and order conditions in the rural areas;

WHEREAS, these ejection suits or other acts of harassment by landowners intended to eject or remove their tenants cannot be sanctioned or condoned by the Government, especially in the light of our current efforts to bring forth a New Society – a Filipino society that is more compassionate and that adheres to the basic principle of social justice;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers in me vested by the Constitution as Commander-in-Chief of the Armed Forces

of the Philippines, and pursuant to Proclamation No. 1081, dated September 21, 1972, and General Order No. 1, dated September 22, 1972, as amended, do hereby order and decree, as part of the law of the land the following;

SECTION 1. No tenant-farmer in agricultural lands primarily devoted to rice and corn shall be ejected or removed from his farmholding until such time as the respective rights of the tenant-farmer and the landowner shall have been determined in accordance with the rules and regulations implementing Presidential Decree No. 27.

SEC. 2. Unless certified by the Secretary of Agrarian Reform as a proper case for trial or hearing by a court or judge or other officer of competent jurisdiction, no judge of the Court of Agrarian Relations, Court of First Instance, municipal or city court, or any other tribunal or fiscal shall take cognizance of any ejectment case or any other case designed to harass or remove a tenant of an agricultural land primarily devoted to rice and corn, and if any such cases are filed, these cases shall first be referred to the Secretary of Agrarian Reform or his authorized representative in the locality for a preliminary determination of the relationship between the contending parties. If the Secretary of Agrarian Reform finds that the case is a proper case for the court or judge or other hearing officer to hear, he shall so certify and such court, judge or other hearing officer may assume jurisdiction over the dispute or controversy.

SEC. 3. In all cases, efforts shall be exerted by all government officials to maintain the status quo in the relation between tenant-farmers and landowners as already embodied in Presidential instructions.

SEC. 4. All provisions of existing laws, orders, rules and regulations, or parts thereof, in conflict or inconsistent herewith are hereby repealed or modified accordingly.

SEC. 5. This Decree shall take effect immediately.

Done in the City of Manila, this 22nd day of October, in the year of Our Lord, nineteen hundred and seventy-three.

(Sgd.) FERDINAND E. MARCOS
President of the Philippines

By the President:

(Sgd.) ROBERTO V. REYES
Assistant Executive Secretary

PD 316 was repealed or amended by RA 6657.

MALACAÑANG
Manila

PRESIDENTIAL DECREE NO. 389

**CODIFYING, REVISING AND UPDATING ALL FORESTRY LAWS
AND FOR OTHER PURPOSES**

WHEREAS, there is a serious need to effectively conserve the Nation's public forests, including watershed areas, to protect and preserve national parks, and at the same time, to provide suitable agricultural land for our people;

WHEREAS, upon my instructions, the Department of Agriculture and Natural Resources has prepared, drafted and completed the codification, revision and updating of forestry laws to conform with, and in pursuance of the provisions of the New Constitution;

WHEREAS, the adoption of the Code as part of the law of the land will achieve the following results, among others:

(1) The gradual phasing out of log exportation and accelerated development of the local wood processing industry through a system of disincentives and incentives;

(2) Additional revenue to support the expanded responsibilities of the Bureau of Forest Development in land classification, forest protection, reforestation of denuded watersheds, continuing census of settlers and kaingin management in public forest, forest research and development;

(3) The abolition of short-term licenses and the granting of long-term license agreements of 10 and 25 years to afford the grantee security of tenure, thus, assuring the effective conservation of the forest and elimination of petty graft resulting from periodic renewal of such timber licenses;

(4) Abolition of the requirement of one processing plant for each concession and inducing the establishment of economic-sized plants located near shipping points, which can adequately complete in foreign markets in terms of quality and pricing of output;

(5) Acceleration of land classification and immediate proclamation of permanent forests as forest reserves;

(6) Resettlement or integration of settlers in public forests through a system of kaingin management. This involves a complete and continuing census of all occupants of public forest, including their location, in order to determine valid claims and prepare action plans for integrating such occupants into the socio-economic mainstream; and

(7) Revitalization of the Forest Agency (Bureau of Forest Development). Adopted and made part of this Code is the merger of the Bureau of Forestry, Reforestation Administration, and the Parks and Wildlife Office, as already embodied in the Integrated Reorganization Plan approved under Presidential Decree No. 1.

WHEREAS, the urgency of giving force and effect to this measure in the quickest possible manner and time cannot be overemphasized, the Filipino people having witnessed and suffered from the last catastrophic floods and droughts throughout the Archipelago;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by the Constitution as Commander-in-Chief of the Armed Forces of the Philippines and pursuant to Proclamation No. 1081, dated September 21, 1972, and General Order No. 1, dated September 22, 1972, as amended, in order to accelerate the classification of our remaining unclassified forest lands into alienable or disposable public lands and permanent forest and conserve the latter for the

benefit of the present and future generations of this Country, do hereby order and decree the following:

ARTICLE I. - TITLE AND POLICY

SECTION 1. *Title.* – This shall be known as the “Forestry Reform Code of the Philippines”.

SEC. 2. *Declaration of Policy.* – It is the policy of the State:

(a) To promote the wise utilization, conservation and development of the forest resources of the country, including their associated services relating to water supply, recreation and wildlife preservation;

(b) To safeguard the national interest in the maintenance of a wholesome ecological environment;

(c) To accelerate the rehabilitation of denuded lands, including those under private ownership; and

(d) To provide a stable forestry agency and a body of laws and regulations adequate to achieve the national policy.

ARTICLE II. - ORGANIZATION AND JURISDICTION OF THE BUREAU OF FOREST DEVELOPMENT

SEC. 3. *Merger and Organization of Forestry Agencies.* – For the purpose of carrying out the policies established under this Code, the Bureau of Forestry, the Reforestation Administration, the Parks and Wildlife Office and such other government agency, instrumentality or special project as are performing related functions, including applicable appropriations, records, equipment, property and such personnel as may be necessary, are hereby merged into a single agency to be known as the Bureau of Forest Development, hereinafter referred to as Bureau. The Bureau shall be directly under the control and supervision of the Secretary of

the Department of Agriculture and Natural Resources, hereinafter referred to as Department Head.

The Bureau shall be headed by a Director, who shall be assisted by one or more Assistant Directors. The Directors and Assistant Directors shall be appointed by the President.

All positions in the three merged agencies are considered vacated. Present occupants may be appointed in accordance with a plan of organization prepared by the Director as approved by the Department Head. Any appointee who fails to report for duty in accordance with the approved plan within thirty (30) days upon receipt of notification shall be deemed to have declined the appointment, in which case the position may be filled by any other qualified applicant.

SEC. 4. *Qualification of the Director and Assistant Director.* – No person shall be appointed Director or Assistant Director of the Bureau unless he is a natural-born citizen of the Philippines, at least 30 years of age, a holder of at least a Bachelor's Degree in Forestry or its equivalent, and a registered forester.

SEC. 5. *Creation of Functional Divisions and Staffs.* – There is hereby created the following divisions:

(a) *Planning and Evaluation Division* which shall have the following functions: (1) undertake economic, organization and management research relative to forest land management and forest industry development; (2) prepare long-range and annual programs of work; (3) guide the preparation of multiple-use plans for the public forest; (4) evaluate, through a system of field inspection, the quality and quantity of performance as measured against established policies, goals and standards; (5) establish standards for land classification in the public forest; (6) recommend changes in laws, regulations, policies and procedures as needed to achieve agency objectives; (7) maintain agency manuals; and (8) perform such other functions as may be provided by law.

This Division shall consist of functional sections, namely: Program Planning, Performance Evaluation, Forest Economics and Management Analysis.

(b) *Administrative Division* which shall have the following functions: (1) advise management on personnel policies and administration; (2) develop and administer a personnel program on selection and placement, classification and pay, career and employee development, training, performance rating, employee relations, health and welfare service; (3) inform the public about the policies, plans, activities and accomplishments of the Bureau; (4) develop and improve budgetary methods, procedures, and justifications, provide fund estimates in support of the Bureau's operations, plans, and programs; and provide for the systematic release and control of fund allotments to the various units of the Bureau; (5) maintain basic and subsidiary accounting records and books of accounts to reflect financial transactions; (6) certify to the availability of funds, obligate funds, process vouchers or claims, and prepare financial reports; (7) file and maintain necessary records and establish a records disposition program; (8) provide mail, transportation, messengerial, and general utility services for the Bureau; (9) procure, store, and distribute supplies and equipment and conduct periodic inventories of the same; (10) provide cashiering services; (11) and perform such other functions as may be provided by law.

This Division shall consist of functional sections, namely: Personnel, Budget, Accounting, Information and General Services.

(c) *Legal Staff* which shall have the following functions: (1) provide legal counsel and assistance to the Director and various organizational units of the central office concerning the interpretation and application of forestry, reforestation, parks, and wildlife laws; (2) assist the regional staffs in resolving complex legal problems involving violations of laws, rules and regulations; (3) appear in courts and administrative bodies in behalf of the Director and other personnel of the Bureau on cases arising from the lawful discharge of, or cases related to the functions of their offices; (4) conduct investigations regarding cases filed against employees of

the Bureau and submit recommendations; and (5) perform such other functions as may be provided by law. The Legal Staff shall be directly under the Office of the Director.

(d) *Silviculture Division* which shall have the following functions: (1) maintain a current inventory of timber resources in the public forest, including virgin, cutover and degraded forests; (2) design silvicultural systems for commercial and non-commercial timberlands; (3) prepare guidelines for working unit plans; (4) provide standards for the conduct of post-harvest diagnostic surveys and timber stand improvement activities in the public forest; (5) prepare the program for reforestation and disease and insect control; (6) insure that the boundary of the permanent public forest is established in accordance with the land classification standards prescribed by the Planning and Evaluation Division, and undertake the initial marking of the boundary; and (7) perform such other functions as may be provided by law.

This Division shall consist of functional sections, namely: Silviculture and Reforestation, Timber Inventory, Working Unit Plans and Land Classification.

(e) *Forest Protection and Utilization Division* which shall have the following functions: (1) plan and develop, within the public forest, the programs for protecting the public forest, reforestation projects, national parks and wildlife sanctuaries from fire and encroachment; (2) provide guidelines for the effective enforcement of fish and game laws and regulations; (3) prescribe standards and procedures for the issuance of forestry licenses or permits; (4) issue timber licenses and establish guidelines in the processing of application for leases and in the preparation of operating plans for the removal of timber and minor forest products in accordance with working unit plans; (5) develop a program for the resettlement of shifting cultivators occupying the public forest; (6) formulate a program for the protection and rehabilitation of watersheds; (7) develop, install and provide technical supervision in the maintenance of forest transportation and communication systems, buildings, and

other structural facilities associated with the public forest; and (8) perform such other functions as may be provided by law.

This Division shall consist of functional sections, namely: Timber Operations, Land Uses, Watershed Management, Utilization, Kaingin Management, and Forest Protection and Engineering.

(f) *Parks, Range and Wildlife Division* which shall have the following functions: (1) formulate the outdoor recreation programs in public forest, national parks, including marine parks and other related recreation units; (2) establish the carrying capacity and range-use requirements on suitable grasslands in the public forest; (3) set standards for the issuance of grazing permits to ensure the utilization of public range lands is in accordance with watershed and wildlife habitat requirements; (4) determine the need for, and recommend, the establishment of wildlife sanctuaries; (5) establish wildlife habitat requirements for application in the managed forest; (6) recommend season, bag and/or creel limits of game and fish within the public forest and the marine parks, lakes and other inland waters which may be under the jurisdiction of the Bureau; and (7) perform such other functions as may be provided by law.

This Division shall consist of functional sections, namely: Parks Management, Recreation Management, Wildlife Management and Range Management.

(g) *Forest Research Division* which shall have the following functions: (1) conduct problem analysis, design and implement program of basic and applied research on the protection of utilization of the soil, water, timber, range, wildlife habitat and recreation resources of the public forest including silviculture, ecology, forest pests and diseases, range, wildlife and forest environment; and (2) perform such other functions as may be provided by law.

This Division shall consist of functional sections, namely: Silviculture, Range and Wildlife, Watershed Management, Pests and Diseases, and Field Research Services.

The Department Head, upon recommendation of the Director, may create such additional divisions, sections or units as may be deemed necessary to meet the demands for better forest administration. He may likewise create, upon recommendation of the Director, a central research institute for the purpose of collaborating with and reinforcing the Forest Research Division.

SEC. 6. *Creation of Regional and District Offices.* – For the efficient and effective implementation of the program of the Bureau, there shall be created at least eleven regional offices. In each region, there shall be as many forest districts as may be necessary, in accordance with the extent of forest area, established work loads, need for forest protection, fire prevention and other factors, any law to the contrary notwithstanding.

SEC. 7. *Jurisdiction of the Bureau.* – The Bureau shall be responsible for the effective, efficient and economic classification, protection, development, management, regeneration, reforestation, occupancy and use of all public forest and forest reserves; the granting of licenses or permits for the taking or use of forest products therefor or the occupancy or use of the public forest; the implementation of multiple-use and sustained yield management in the public forest, and a comprehensive program of forest research; the protection, development and preservation of national parks, game refuges and wildlife; the implementation of a continuing program of kaingin management within the public forest; the enforcement of forestry, reforestation, parks, games and wildlife laws. The Bureau shall, in collaboration with appropriate Government agencies, extend assistance towards the development, utilization and rationalization of the wood industries; regulate the operation of sawmills, veneer and plywood mills and other wood processing plants; conduct studies of domestic and world markets; provide and support of industrial operations within the public forest; and support fiscal policies associated therewith.

SEC. 8. *Adoption by Reference.* – Except as specifically provided in the preceding sections, the provisions of the Integrated Reorganization Plan under Presidential Decree No. 1, dated

September 24, 1972, and Letter of Implementation No. 9, dated November 1, 1972, with respect to the Bureau, the regional offices, their organization, staffing, and other matters as are hereby related, are deemed adopted as part of this Code.

SEC. 9. *Regulation of the Bureau.* – The Director shall, with the approval of the Department Head, promulgate such rules or regulations as are deemed expedient or necessary for the protection, conservation, development, occupancy and use of the public forest, including national parks, game refuge and bird sanctuaries in such a manner and by such means as will insure a continuous and sufficient supply of water, timber, forage, wildlife, recreational values, and other forest products and services.

The regulations shall include the mechanism by which the licenses, leases, or permits specified in this Code may be issued by the Bureau. Charges, fees and bonds shall be prescribed and imposed only in the manner provided for in this Code.

SEC. 10. *Authority of Officers and Employees of the Bureau to Make Arrest and Seizure and to Administer Oath and take Testimony.* – Officers or employees of the Bureau may arrest without warrant in a public forest any person who has committed or is committing an act against the provisions of this Code. They may also seize and confiscate in favor of the Government forest products, including tools and equipment used in committing the act. The disposition of seized products, materials and equipment shall be done by the Director in accordance with regulations approved by the Department Head.

The Department Head may deputize any qualified person to exercise the power or authority provided for in the preceding paragraph, which shall include the protection of the forest from any form of illegal occupation or destruction.

Any person arrested by an officer or employee of the Bureau under the authority herein given shall, if such be reasonable and practicable, be brought before the proper authorities within the

period prescribed by existing laws and to be dealt with according to law.

Forest officers are authorized to administer oath and take acknowledgment in official matters connected with the functions of their office, and to take testimony in official investigations conducted under the authority of this Code and the implementing regulation.

SEC. 11. *Manpower Development.* – The Bureau shall establish an in-service training center for the purpose of upgrading and training its personnel and new employees. The training center shall consist of a Central Institute to be established on the campus of the College of Forestry of the University of the Philippines, and such other training center or centers the Bureau may establish.

The Bureau shall also set aside adequate funds to enable personnel to obtain special education and training in local or foreign colleges or institutions.

SEC. 12. *Performance Evaluation.* – The Bureau shall devise a system, to be approved by the Department Head, to evaluate the performance of its employees as well as the performance of permittees, lessees, licensees and other users of the public forest. The system shall measure accomplishment in quantity and quality of performance as related to the funded program of work assigned to each organizational unit. There shall be included a system of periodic inspection of district offices by the regional offices and of the regional and district offices by the Central Office in both functional fields and in the overall assessment of how each administrative unit has implemented the laws, regulations, policies, programs and practices relevant to such unit. The evaluation system shall provide the information for: annual progress reports; determination of employee training, transfer or disciplinary action; continuation, modification or termination of licenses, leases or permits; and the modification of laws, regulations, policies and practices.

A summary of the key findings of the evaluation activity shall be incorporated into an annual report which the Director shall

submit to the Department Head within sixty (60) days following the close of each fiscal year.

ARTICLE III. - GENERAL PROVISIONS

SEC. 13. *Principles Governing the Administration of Forests.* – The public forests of the Philippines shall be held and administered under the concept of multiple-use and sustained-yield for the protection of the public interest, the utility and safety of the forests, and the perpetuation thereof in productive condition by wise use.

SEC. 14. *Diffusion of Benefit.* – No lease, license or license agreement issued to a corporation shall be granted, renewed or allowed to continue under the provision of this Code except upon the express condition that the grantee shall, within three (3) years from the date of the grant, renewal or, in the case of those that are not yet due to expire, within three (3) years from the approval of this Code, sell or offer for sale under reasonable terms and conditions as may be determined by the Director, at least twenty per centum (20%) of its subscribed capital stock to its employees and/or to the general public.

The Bureau shall, in its rules, ensure the further diffusion of the privilege to develop and utilize the forest resources to as many qualified and deserving applicants as possible, consistent with the policy of promoting the establishment of economic-sized operational units.

SEC. 15. *Private Rights.* – The grant of any license, license agreement, lease or permit under this Code shall be subject to private rights of persons, if there be any, within the concession or license areas as evidenced by their occupation and cultivation existing at the time the license, license agreement, lease or permit is issued by the Government, or other muniments of title, and the area over which such private rights exist shall be respected, and logging operations or occupancy within said area shall be allowed only upon prior authorization by the Director.

ARTICLE IV. - LAND CLASSIFICATION

SEC. 16. *Regulation Setting Apart Forest Reserves; Permanency of Same.* – Upon the recommendation of the Director, duly concurred in by the Department Head, the President of the Philippines shall, by proclamation, declare all lands of the public domain eighteen percent (18%) in slope or over as permanent forests or forest reserves, regardless of the condition of vegetative cover, occupancy, or use of any kind, and thereafter such forest reserves shall not be alienated nor disposed of, but shall remain in public ownership as such for forest uses.

Parcels of land less than eighteen percent (18%) in slope and less than two hundred fifty (250) hectares, and lands on tops of ridges or plateaus, regardless of size, which are found within or are surrounded, wholly or partly, by a body of public forest and suitable for permanent forest purposes shall be considered as part thereof. Areas along streams or rivers may be utilized, in the absence of available alienable or disposable areas, as kaingin relocation centers, forest villages, and other purposes compatible with the proper management of the forest. Appropriately located road rights-of-way shall be retained as part of the permanent forest land. A strip of land fifty (50) meters above the normal high waterline on each side of rivers and streams with channels not less than five (5) meters wide shall be retained as permanent forest land for stream bank protection. Strips of land, mangrove and swampland not less than fifty (50) meters from the apparent shoreline as indicated by vegetative growth along the shoreline facing oceans, lakes and other bodies of water shall be retained as permanent forest for shoreline protection. Isolated areas or patches of forest of at least five (5) hectares with slope eighteen percent (18%) or over shall likewise be retained as permanent forest land.

All lands eighteen percent (18%) in slope or over which have been previously classified as alienable or disposable, but not yet titled as certified by the Director of Lands, shall be reverted to the category of public forest; *Provided*, That existing alienable or disposable lands, even if eighteen percent (18%) in slope or over

but covered by approved public land applications, or have been and are actually occupied openly, continuously, adversely and publicly for a period of not less than thirty (30) years as of the effectivity of this Code, shall remain as such alienable or disposable; *Provided, further,* That such alienable or disposable lands eighteen percent (18%) in slope or over are kept in a vegetative condition sufficient to prevent erosion and adverse effects on the lowlands and streams, otherwise, steps shall be taken by the Bureau to initiate appropriate proceedings to revert such lands to the category of public forest.

The President of the Philippines may, by proclamation, and upon the recommendation of the Director, duly concurred in by the Department Head, modify the boundaries of any forest reserve without need of concurrence by any other body, any provision of law to the contrary notwithstanding.

SEC. 17. *Establishment of Boundaries of Forest Reserves.* – All boundaries of the public forest shall be clearly marked and maintained on the ground. Boundary corners shall be established with concrete monuments of intervals of not more than five hundred (500) meters and in accordance with established procedures and standards.

SEC. 18. *Classification of Public Forest Lands as Alienable or Disposable.* – Except those excluded in Section 16, and areas presently designated as permanent forest, national park, national shrine, national historic site, swampland and forest area which have been declared by the Department Head as essential to research, scenic, recreation, or fish and wildlife purposes, portions of the public forest below eighteen percent (18%) in slope, upon the certification of the Director that said portions are not required by the public interest to be kept in public ownership and that their alienation or disposition is compatible with forestry purposes, shall be declared by the Department Head as such alienable or disposable; *Provided,* however, that areas within timber concessions below eighteen percent (18%) in slope which are timbered and/or having adequate residual stocking, and presently supporting an existing processing plant shall not be released as alienable or disposable

but shall remain as part of the permanent forest land; *Provided, further,* That the Department Head may, from time to time, release to the Department of Agrarian Reform Lands of the public domain for the purpose of Agricultural Resettlement and Sale.

All applications for registration of land for titling purposes shall be referred to the Director or his representative who will certify under oath that such land is alienable or disposable, or part of the public forest, as the case may be.

ARTICLE V. - SPECIAL AREAS AND THEIR FUNCTIONS

SEC. 19. *Forest Research.* – The Bureau is responsible for the design and conduct of a comprehensive program of forest research relative to the establishment, protection, perpetuation and utilization of the various resources and services available from the public forest. Such research shall be conducted in a manner which provides functional information in harmony with the concept of managing the forest as an ecosystem. The research program shall include such subjects as forest and grasslands, ecology, silviculture, range and wildlife habitat management, wildlife biology, forest soils, watershed management and protection of the forest from insects and diseases. Except for such research as may be conducted by educational institutions in furtherance of their academic programs, the Bureau is assigned the exclusive authority and responsibility for the conduct of such research in the Government sector.

Experimental forests may be established for the purpose of conducting coordinated research. Should such coordinated research require harvesting of timber or other forest products, the same shall be done solely by the Government but in no case shall it be carried on a commercial scale and any revenue realized therefrom shall accrue to the Bureau as part of its research and development trust fund.

Field research shall be reinforced by a Central Research Institute to be established on the campus of the College of Forestry of the University of the Philippines in which laboratory phases of

forest research shall be conducted. The organization of this Institute shall be done by the Department Head upon recommendation of the Director.

The execution of the provisions of this Section shall coordinate with the provisions of Presidential Decree No. 48, dated November 10, 1972, establishing the Philippine Council for Agricultural Research (PCAR).

SEC. 20. *National Park System.* – Upon recommendation of the Department Head, the President of the Philippines may, by proclamation, reserve and withdraw from settlement, occupancy, or disposition any portion of the public domain which, because of its panoramic, historical, educational, cultural, scientific, or aesthetic values, should be dedicated and set apart as a national park, in accordance with the criteria to be prescribed by the Director and approved by the Department Head, the national marine parks, national seashore parks, national battlefield parks, and other categories of national significance. All natural resources or physical components which are naturally stored or found therein shall be used only in accordance with the purpose for which these areas are established.

All existing national parks and all other areas that may be established as such are hereby declared permanent in status, and thereafter such parks shall not be alienated nor disposed of, but shall remain as such for the purpose for which they are established; Provided, that the President may, by proclamation, alter or modify the boundaries of such parks in order to conform with precise surveys, enhance their park values and insure their sound management.

Roads in national parks which are existing or to be constructed shall be opened only to traffic inherent to the use of national parks.

Areas within the national park system are hereby declared as game refuges and bird sanctuaries.

The Director shall, subject to the approval of the Department Head, establish a schedule of fees and impose conditions and penalties for the use of areas in the national park system.

SEC. 21. *Watershed Reservation.* – All watershed reservations established or to be established, shall be under the jurisdiction of the Bureau. Watershed reservations may be established by the President of the Philippines upon recommendation of the Director, concurred in by the Department Head, to protect or improve the conditions of water yield or to reduce sedimentation. The watershed reservation may be opened to other uses under such terms and conditions as the Department Head may prescribe; Provided, that the principal objectives of such reservation shall not be jeopardized.

Upon determination by a recognized water-using agency that a portion of the public forest is essential to a specific water resources project, the Bureau, upon written request of such agency, shall collaborate in the preparation of a detailed plan of protection, development, utilization and management of such watersheds. Upon approval of the management plan by the Department Head, the Bureau shall be responsible for its full implementation. When the plan of management exceeds the financial resources that the Bureau normally allocates to the watershed areas, and when the water-using agency determines that the action program must be accelerated or its management intensified, such agency shall provide the additional funds needed to achieve the objectives of the plan. In the event that the utilization of forest products or services is curtailed, the water-using agency, with the approval of the Department Head, shall be required to pay annually to the Bureau an amount equivalent to the revenue which otherwise would have accrued to become part of the Research and Development Trust Fund.

SEC. 22. *Establishment of Municipal or City Forests and Pastures.* – The municipal or city council of any municipal/municipal district or city/city district, may acquire private or public (alienable or disposable) land for the purpose of establishing a municipal or city forest, tree park, watershed or pasture. The national government

shall assist in, and provide the technical supervision over the establishment and maintenance of such municipal or city forest or pastures.

ARTICLE VI. - FOREST RESOURCES MANAGEMENT

SEC. 23. *Watershed Management.* – In addition to the responsibilities relative to watershed reservations, the Bureau is responsible for the design and application of measures to minimize soil erosion, regulate or modify water yield, minimize pollution or water by users of forest and water resources and rehabilitate and improve deteriorating watersheds. Among other activities, the Bureau shall prescribe watershed protection and restoration measures to be incorporated in license agreements, leases, permits, work orders, and contracts which involve serious disturbance of the soil and water resources, with particular attention to road construction, mining, shifting cultivation, and burning; and it shall establish a monitoring system to see to it that the activities authorized by the Bureau are accomplished in line with prescribed water quality standards. It shall also adopt standards and criteria by which it will be able to determine whether or not logging and other land use practices shall be allowed or suspended in a watershed or portion thereof.

SEC. 24. *Timber Resource Management.* – No timber resource shall be allowed for commercial utilization unless the grant advances the economic and social welfare of the Filipino people, while at the same time assuring the continuity of the forest in productive condition.

Subject to the provisions of the preceding paragraph, the Director or his duly authorized representative may select or designate timber for sale, disposal or use and may sell, dispose or authorized the use of the same, by means of license or sales contract, at prices fixed in this Code or as otherwise determined in accordance with regulations promulgated thereunder.

The Director shall prescribe and implement in every logging concession a silvicultural system or combination of systems which will produce the optimum sustained yield of raw materials for the dependent industries in coordination with other related uses.

The construction of logging roads and hauling of logs which are the primary responsibility of the licensee or concessionaire may be subcontracted to third parties under conditions and standards prescribed by the Director; *Provided*, That any violation committed by the subcontractor shall be considered as violation committed by the licensee or concessionaire himself and shall subject the license to suspension or cancellation.

SEC. 25. *Allocation of Commercial Timber Resources.* – The commercial timber resources of the production forest shall be allocated in such a manner as to encourage the maintenance and further development of an integrated wood industry.

To this end, the major portion of the commercial timber resource shall be allocated under long-term license agreements. Timber allocated under such agreements shall be limited in area and/or volume of timber required to support, on a sustained-yield basis, the processing plant installed or to be installed.

The estimated volume and value of timber available for commercial sale shall be determined through an appraisal system by the Bureau.

SEC. 26. *Timber Appraisal, Scaling and Tree Measurement.* – The Director shall institute a system of timber appraisal for all public forest areas or forested alienable or disposable lands, whether vacant or covered by existing timber concessions.

In the case of timber license agreements, existing as of the effectivity date of this Code, the first appraisal shall take place after two (2) years following such effectivity; and of those that may be issued thereafter, said appraisal be made every five (5) years reckoned from the original issuance thereof.

Tree measurement shall be the basis for assessing government charges on timber cut and removed from the public forest or alienable or disposable lands; Provided, that until such time as the mechanics of tree measurement has been developed, the present scaling method provided for in the National Internal Revenue Code shall be used.

The Director, with the approval of the Department Head, shall promulgate the implementing rules and regulations to carry into effect the purposes of this Section.

SEC. 27. Authority of Department Head to Impose Fees or Require Special Deposits. – In addition to the taxes, fees and charges imposed under existing laws and regulations, the Department Head is hereby authorized to impose, upon recommendation of the Director and in consultation with representatives of the industries affected, such fees, or require special deposits, for the privilege to occupy or use a portion of the public forest, or harvest and utilize forest products.

SEC. 28. Collection and Disbursement. – The collection of the fees and special deposits subject of the next preceding Section shall be the responsibility of the Director or his authorized representatives. The Director shall remit his monthly collection to the Treasurer of the Philippines within the first ten (10) days of the succeeding month. The Budget Commissioner and the National Treasurer shall effect the quarterly releases out of this collection upon request of the Director on the basis of a consolidated annual budget of a work program approved by the Department Head upon approval by the President.

SEC. 29. Mandatory Wood Processing Requirements. – Upon effectivity of this Code, unless otherwise decreed by the President upon recommendation of the National Economic Development Authority, the amount of timber production of each timber licensee or concessionaire required to be locally processed shall not be less than the following percentages based on the average actual cut during the preceding two (2) years:

(a) Calendar Year 1973	40 percentum
(b) Calendar Year 1974	60 percentum
(c) Calendar Year 1975	80 percentum
(d) Calendar Year 1976 and thereafter	100 percentum

A wood-processing plant shall purchase logs only from legitimate sources. A license who has no processing plant may enter into a contract with a wood processor for purposes of complying with the requirements of this Section, subject to approval by the Director.

Timber license holders shall be encouraged and assisted to utilize and convert logging wood wastes and wood trees in their concessions and the wood residues of their wood processing plants into the manufacture of wood by-products and derivatives. For this purpose, the Bureau shall, in collaboration with other wood agencies, the Board of Investments and industry associations concerned, evolve and recommend a program of incentives for submission to the NEDA, thru the Department Head.

SEC. 30. Forest Range Resources Management. – The forage and range resources of the public forest shall be developed and managed to insure a continuous productivity of forage to support the livestock industry of the country. The Bureau shall collaborate with the Bureau of Animal Industry, Bureau of Plant Industry and other appropriate government agencies to achieve this objective.

Suitable range or grazing lands shall be determined by the Bureau using fifty percent (50%) slope as the maximum gradient for suitable range, and such other criteria as it may establish. All existing leases on unsuitable range land will be offered the privilege of transferring to suitable range lands in lieu of lease termination.

The Department Head, upon the recommendation of the Director, shall promulgate such rules and regulations as are necessary to effectively carry out the provisions of this Section.

SEC. 31. *Wildlife Resources Management.* – There shall be maintained an adequate population of wildlife in the public forests and surrounding areas to provide an ideal biological balance of flora and fauna. It shall be unlawful to hunt, wound or kill, take, have in possession or offer for sale any bird, fish or mammal without license. Wild mammals and birds may, upon prior permission by the Director or his representative, be caught or destroyed by property owners at any time that such animals cause destruction to their property. The Director may specify the seasons during which certain birds, game and fish may be taken with permit, and may also establish the daily and/or seasonal bag or creel limits as may be required to maintain the desired level of stocking.

Permits for the taking of birds and game animals shall not be issued within national parks, botanical gardens, established game sanctuaries and other areas designated by the Department Head, except that the latter may authorize the Director to issue a special permit for the taking of surplus game or destructive predatory, noxious or dangerous animals which endanger the habitat. The Director is authorized to establish, equip, operate and maintain game farms and other game projects in such portions of the lands under his jurisdiction as may be deemed appropriate and beneficial, and to terminate such activities when the purpose has been served.

A reasonable fee may be collected for the issuance of hunting and fishing permits: *Provided, however*, that permits shall be issued free of charge to those who by tradition are dependent upon the flesh of wildbirds and mammals for their subsistence, subject to the mode of hunting, species bag limits, and other conditions as may be prescribed.

SEC. 32. *Recreation Resource Management.* – The Bureau shall, in the preparation of multiple-use management plans, identify and provide for the protection of scenic areas which are potentially valuable for recreation and tourism. In planning for the operation of such areas for utilization of other resources, the design shall provide for the protection and development of the recreation resource.

Likewise, the road system to be constructed for harvesting timber, mining, and other purposes shall, to the extent feasible, be designed and constructed to facilitate the access to recreation areas.

The Bureau shall plan for development of recreation areas to induce and meet increasing demands. The construction and operation of necessary facilities to accommodate outdoor recreation will be done by the Bureau with the use of its own funds which may be derived from rentals and fees for the operation and use of recreational facilities by private persons or operators.

The Director shall promulgate rules and regulations and establish a schedule of fees for the recreational use of such areas.

In the areas constituting the national park system, such rules shall be formulated and adopted to insure the continuity of their unique values.

SEC. 33. Management of Swamplands and Mangrove Forests.

– The Bureau, in consultation with other appropriate agencies, shall jointly develop a management plan to increase the public benefits derived from swamplands and mangrove forests, but in no case shall the development obstruct or impede waterflow of streams and rivers.

Strips of mangrove forests bordering numerous islands protect the shoreline, the shoreline roads, and even coastal barrios from the destructive force of the sea during high winds and typhoons, and therefore, must be kept free from artificial obstruction so that flood water will flow unimpeded to the sea to avoid flooding or inundation of cultivated areas in the upstreams.

All mangrove swamps set aside for coastal protection forest purposes shall be established as permanent forest, and shall be managed under the principle of sustained-yield.

SEC. 34. Kaingin Management. – The Bureau shall, in the preparation of its multiple-use plans, design and provide for

implementation of kaingin management and relocation plan. The plan shall include a complete and continuing census of all forest occupants, survey of the sizes of occupancy and the identification of those to whom kaingin management benefits shall be given.

The Bureau shall control and regulate the location and area, and prescribe rules and regulations for the prevention of further encroachment into the public forests and shall also provide an agro-forestry development program and assistance to increase crop productivity and employment opportunities to forest occupants.

The Bureau, in collaboration with other appropriate agencies, shall identify and stabilize the land claims of primitive tribes residing within the public forest. Provision shall be made for permanent settlement on designated areas reserved for the purpose, such as, unoccupied alienable or disposable lands, relocation centers within the public forest and elsewhere as may be required to achieve the objectives: *Provided*, That a member of the primitive tribes who, since July 4, 1955, has continuously and publicly occupied and cultivated, either by himself or through his predecessors-in-interest, a tract or tracts of land declared as alienable or disposable, shall be entitled to the rights granted in this Code: *Provided, further*, That at the time he files his free patent application, he is not the owner of any real property secured or disposable under the provisions of the Public Land Act; and *Provided, finally*, That he has not previously availed himself of the provisions of the laws relative to free grant of land.

For those remaining in the public forest, a continuing program of assistance, when needed, shall be provided by the Bureau.

Any person making kaingin without permit after the completion of the initial forest occupancy census and survey as provided for under this Section shall be criminally prosecuted in accordance with existing laws. Any person who violates the terms and conditions of his kaingin permit shall forfeit all privileges granted him under the kaingin management plan. In both cases, the violator shall be ejected from the public forest illegally occupied and

all improvements introduced thereon including tools, equipment and work animals shall be confiscated in favor of the Government.

SEC. 35. *Industrial Plantation Management.* – The Bureau shall encourage the rehabilitation of denuded or deteriorated lands embracing both those under public and private ownership. It shall implement a system of incentives to prospective investors to plant suitable areas to forest trees of commercial value. Such incentives may exceed the limits set for other uses of forest lands under this Code, and shall be contained in a set of rules to be promulgated by the Department Head with the approval of the President.

In the case of lands within the public forest, the Bureau may grant industrial plantation license and/or lease for a period of 25 years, renewable for another 25 years at the option of the lessee, and charge an annual nominal rental and use fee only from the time of harvest.

In the case of private lands, the Bureau shall assist in the preparation of management plans, give technical advice in the development and maintenance of the plantation, and implement a system of incentives to landowners who undertake approved conservation and silvicultural practices.

Small scattered areas may be leased to individuals: Provided, they organize themselves into a cooperative to insure the orderly management and development of their plantations and marketing of their products. Big, compact areas may be leased to individuals, corporation, partnerships or associations.

SEC. 36. *Mineral Resources Management Within the Public Forest.* – Mining operations in forest areas shall be conducted with due regard to protection, development and utilization of other surface resources in the areas affected by such mining operations.

No prospecting, exploration or exploitation of mineral resources shall be allowed within the public forests including forest reservations, national parks, reforestation projects, grazing areas,

and those under special uses and such areas reserved by law or by the President of the Philippines for special purposes unless approved by the President upon recommendation of the Director of Mines and Director of Forestry.

The utilization of timber and other forest products within mineral reservations and other mineral lands shall be allowed in accordance with existing forestry laws and regulations and such rules as may hereinafter be promulgated.

ARTICLE VII. - LICENSES, LEASES AND PERMITS

SEC. 37. *Types and Specification of Licenses, Leases and Permits.* – A license, lease or permit may be issued or granted only after an application has been filed and an award has been made. No licenses, leases and permits, however, shall be granted in provinces and cities which according to the latest official population census, are inhabited by members of the national cultural communities, without a prior inspection jointly conducted by the representatives of the Bureau and of the Commission on National Integration and a certification by said representatives that no members of the cultural communities actually occupy or possess, or has a claim to all or portions of the area applied for; and in cases where only portions of the area applied for are in the occupation or possession of, or claimed by, members of the said national cultural communities, the same shall be excluded, or deemed excluded.

The types of licenses, leases or permits issued or granted by the Director or the Department Head as the case may be are as follows:

(a) *Timber License Agreement* – a long term license executed by and between the Department Head, on behalf of the Government, and the grantee for the harvesting and removal from the public forest of timber and, in appropriate cases also of other forest products. It is drawn up by the Director and recommended to the Department Head for his final approval. It is subject to review at least once every

five (5) years to ascertain compliance with the terms thereof and adjust such terms to major policy changes.

(b) *Pulpwood License Agreement* – similar to timber license agreement except that it is primarily for the planting and cutting of pulpwood species.

(c) *Provisional Timber License* – a short term license issued by the Department Head over areas previously under ordinary timber licenses where field evaluation is prevented by unstable peace and order conditions or fortuitous events, or where government restrictions or changes in government policy have prevented the licensee from actual logging operations, or for one reason or another which the Department Head or Director considers satisfactory, and the licensee failed to commence such actual operation although substantial capital improvements have been introduced and that the licensee has shown evidence of sufficient financial capability for continuous logging operations such that cancellation of the license or conversion into a longer term license cannot be done in the interim; or where the area is covered by a mining claim and claimant does not need the timber for mining purposes and commercializes it or waives his right to another who is qualified to acquire a timber license.

(d) *A & D Timber License* – a license issued by the Director for the clear-cutting and commercial utilization of timber over forested lands that have been declared as alienated or disposable but not yet covered by a title of ownership.

(e) *Private Land Timber License* – a license issued by the Director for the cutting and commercial utilization of timber in a private land the title to which is not registered with the Bureau.

(f) *Registered Private Woodland License* – a license issued by the Director for the cutting and commercial utilization of timber in a private land the title of which is registered with the Bureau.

(g) *Soft Wood Timber License* – a license issued by the Director inside a public forest for the cutting of timber species suitable and used solely for bakya, matchsticks, carving and similar purposes.

(h) *Hard Wood Timber License* – a license issued by the Director inside a public forest for the cutting of timber classified as furniture timber, to be used exclusively in the manufacture of furniture, fixtures, house components, sash, handicraft, and other such woodcraft.

(i) *Gratuitous Timber License* – a license issued by the Director or his representative for the cutting of timber strictly for personal use, for public purposes or for mining operations.

(j) *Mangrove Timber License* – a license issued by the Director for the cutting and utilization of mangrove timber species.

(k) *Civil Reservation Timber License* – any of the foregoing licenses issued by the Department Head or by the Director inside a civil reservation for the cutting and utilization of timber species.

(l) *Land Grant Timber License* – any of the foregoing types of licenses except paragraph (k) issued by the Department Head or by the Director inside land grants for the cutting and utilization of timber species.

(m) *Minor Forest Products License* – a license issued by the Director within a public forest or forested land for the cutting and utilization of any forest product other than timber.

(n) *Pasture Lease* – a lease for the occupancy and use of a portion of the public forest for pasture purposes executed by and between the Department Head on behalf of the Republic, and the grantee, as recommended by the Director.

(o) *Industrial Plantation License Agreement* – is a long-term agreement executed by the Department Head, as party of the first part, upon recommendation of the Director, by which the party of

the second part is granted the privilege to occupy a portion of the public forest which is partly forested and partly open or bare area, for the purpose of cutting available standing timber for pulpwood or similar uses, and for planting the open portion with timber species of commercial value.

(p) *Industrial Plantation Lease* – a lease for the occupancy and use of a portion of the public forest for the purpose of growing commercial timber on denuded or deteriorated forest lands, executed by and between the Department Head, on behalf of the Republic, and the grantee, as recommended by the Director.

(q) *Special Use Lease* – a lease executed by the Department Head upon recommendation of the Director for a long-term occupancy and use of a portion of the public forest for purposes other than those stated in the foregoing leases.

(r) *Special Use Permit* – a short-term permit granted by the Director for the occupancy or use of a portion of the public forest for purposes other than those stated in the foregoing leases.

(s) *Such other leases and/or permits* – the Department Head or the Director may grant for purposes associated with the disposition of forest products or use and occupancy of the public forest and other areas associated therewith.

Every license, lease or permit for the occupancy or use of the forest or for the taking, gathering or removing of the products therefrom shall specify in detail, the privileges the holder is entitled to, and the obligations imposed on him; and all such licenses, leases or permits shall, when practicable, define the area for occupancy or use, or where such products are to be taken, gathered or removed: *Provided*, That such license, lease, or permit shall not, except as specified by the Director or the Department Head, exclude other lawful uses and occupancy of other persons: *Provided, further*, That where the area applied for is inside an existing timber license or concession, a Hard Wood or Soft Wood Timber License may be issued only over said portions not covered by the operations or management

plan of the existing licensee or concessionaire for cutting within the next five years, or even if such applied area is within the current operations or logging plan, upon a written waiver or consent by the existing licensee or concessionaire.

SEC. 38. *Tenure of Licenses, Leases or Permits; Extent of Area.* – No license or lease granted by the Director or Department Head shall continue in force for more than twenty-five (25) years, renewable for another twenty-five (25) years, upon faithful compliance with the terms and conditions of the license or lease. Permits may be granted on a yearly basis renewable for the same period at the option of granting authority.

Except as otherwise provided, the tenure and extent of area for a license, lease or permit shall be as specified hereunder:

TYPE	DURATION	AREA
Timber License Agreement	10 to 25 years	Not more than 100,000 hectares, except upon approval of the National Assembly upon the recommendation of NEDA.
Pulpwood License Agreement	10 to 25 years	Not more than 100,000 hectares, except upon approval of the National Assembly upon the recommendation of NEDA.
Provisional Timber License	At the discretion of the Director but not to exceed 4 years.	At the discretion of Department Head.
A & D Timber License	At the discretion of the Director but not to exceed 4 years.	Limited to the extent of area containing commercial timber.
Private Land Timber License	At the discretion of the Director depending on extent of forested area and merchantable stand.	Limited to the extent of area containing commercial timber.
Registered Private Woodland License	Same as private timber license.	Limited to the extent of area containing commercial timber.
Soft Wood Timber License	At the discretion of the Director but not to exceed 5 years.	At the discretion of the Department Head.

Hard Wood Timber License	Same as Soft Wood Timber License.	At the discretion of the Department Head.
Gratuitous Timber License	Not more than one year for personal purposes and not more than 5 years for mining and public purposes.	At the discretion of the Department Head.
Mangrove Timber License	Not more than 4 years.	At the discretion of the Department Head.
Civil Reservation Timber License	At the discretion of the Director.	At the discretion of the Department Head.
Land Grant Timber License	At the discretion of the Director.	At the discretion of the Department Head.
Minor Forest Products License	At the discretion of the Director but not to exceed 5 years.	At the discretion of the Department Head.
Pasture Lease	10 to 25 years.	Not to exceed 2,000 hectares.
Industrial Plantation License	Not to exceed 25 years.	At the discretion of the Department Head.
Industrial Plantation Lease	Not to exceed 25 years.	At the discretion of the Department Head.

Other special use permits and leases for the use or occupancy of the forest provided for in this Code shall be of such duration and extent as the Director may fix.

SEC. 39. *Charges, Fees and Bonds.* – Except as specified in this Code, the Department Head, upon recommendation of the Director, shall fix the amount of charges, fees or rentals for the privilege to harvest and remove for commercial purposes forest products, and to occupy or use the public forest.

He may in like manner determine the amount of bond necessary to secure the faithful compliance with the terms and conditions of the license, lease or permit.

SEC. 40. *Conditions Imposed on License, Lease or Permit.* – Upon granting any license, lease or permit, the Bureau may prescribe such terms, conditions and limitations, not inconsistent with law, as may be deemed by him to be in the public interest.

SEC. 41. *Prohibition on Transfer of Permit, Lease, License, License Agreement.* – (a) Except as herein below provided, the transfer, exchange, sale or conveyance of any permit, lease, license, license agreement or any transaction under any guise which will allow or permit another person to enjoy the privilege granted therein is hereby prohibited.

(b) In the case of a lease or license agreement, after a period of three years from the issuance of the original lease or license agreement, the lessee or licensee may, with the approval of the Department Head as recommended by the Director, be allowed to transfer, or convey his lease or license agreement to another provided the lessee or licensee has complied with all the requirements of the law and the rules and regulations thereunder promulgated: *Provided, further*, that the proposed transferee possesses the qualifications and none of the disqualifications to hold a lease or license agreement under the law and this Code; and *Provided, finally*, that there is no evidence that such transfer or conveyance is being made for purposes of speculation and that the transferee shall assume all unpaid forestry accounts of the transferor.

(c) Where the lessee or license holder of a lease or license agreement, is a partnership or corporation, the transfer of the lease or license agreement to another partnership or corporation may be allowed even before the lapse of the three-year period provided the original partners or stockholders of the transferor shall control at least sixty-six and two thirds per cent (66-2/3%) of the paid up capital of the transferor.

(d) In any event any lessee or license agreement holder who transfers or conveys his or its lease or license agreement, shall forever be barred from acquiring another lease or license agreement.

(e) The National Assembly may, in the national interest, allow forest products licensees, lessees, or permittees to enter into service contracts for financial, technical, management, or other forms of assistance with any foreign person or entity for the exploration, development, exploitation or utilization of the natural resources

covered by their licenses, leases or permits. Existing valid and binding service contracts for financial, technical, management or other forms of assistance are hereby recognized as such.

SEC. 42. *Registration and Regulation of Forested Private Lands.* – Every owner of private land containing timber shall register his title to said land with the Director. Once duly registered, timber taken and removed from such land for commercial purposes shall be exempt from the payment of the minimum single forest charges. The harvesting of timber shall be in accordance with a plan of management, if such be required of the owner, duly approved by the Director or his designated representative. The plan of management shall include measures for keeping the land in productive condition and for preventing watershed damage.

SEC. 43. *Cancellation or Suspension of Privileges Granted in License, Lease or Permit.* – The Department Head may, upon recommendation of the Director, terminate, cancel, suspend or refuse to extend a license, lease or license agreement granted by him under this Code for serious violation of the provisions thereof or its implementing regulations.

The Director may, for the same reason, terminate, cancel, suspend or refuse to extend any other license, lease or permit not covered by the preceding paragraph.

ARTICLE VIII. - INFRASTRUCTURE DEVELOPMENT

SEC. 44. *Infrastructure Development.* – The Bureau shall coordinate its program and standards of road construction with those of the Bureau of Public Highways in such a manner as to facilitate and economically reduce the cost of development of infrastructure and in a manner that will best serve the public interest, and shall work with the Bureau of Public Works in establishing wharves, piers and other port facilities in locations designated for processing centers to provide incentives for wood-based industries in the manufacture and export of finished products at competitive levels.

The President, upon the recommendation of the NEDA and the Department Head, is authorized to establish one wood industry import-export center each in Davao, Zamboanga and Quezon provinces.

Imported log supplies used in such centers shall be exempt from all import duties as well as taxes on the resulting finished products exported to foreign markets. Finished products may be sold in domestic markets subject, however, to prevailing tariffs and taxes and to other requirements governing the sale of forest products by local processors. The Director shall in collaboration with the proper government agencies take all necessary precautions to prevent the introduction of insects, pests and/or diseases detrimental to Philippine forests.

SEC. 45. *Transportation System.* – The Bureau shall prescribe the design and standard, and supervise the construction of all roads, bridges, communications and other installations inside the public forest, in coordination with the Department of Public Works, Transportation and Communication. Main roads, subject to such rules and regulations as may be promulgated, upon the joint recommendation of the Director and the Commissioner of the Bureau of Public Highways, subject to the approval of the Department Head, shall link up with the national and provincial highway networks and shall become public roads after five (5) years following the completion of their construction. Secondary roads shall become part of the permanent forest protection and management transportation system.

Where roads are utilized by more than one commercial forest user, the Bureau shall prescribe the condition of joint use including the equitable sharing of construction and/or maintenance. The Director shall promulgate such rules, approved by the Department Head, to implement this provision including the use of these roads by other parties and such fees as are deemed necessary.

The Bureau shall initiate a meeting at least annually with the Bureau of Public Highways at regional levels to coordinate the overall transportation system programs of the two (2) agencies.

ARTICLE IX. - SPECIAL PROVISIONS ON PROMULGATION
OF ORDERS OR DECISIONS OF THE REGIONAL DIRECTOR,
THE DIRECTOR AND THE SECRETARY, APPEAL
THEREFROM

SEC. 46. *Claims and Conflicts.* – Conflicts and disputes arising out of claims or interests in licenses, leases or permits relating to occupancy, use and/or utilization of public forests, including forest reserves, shall be presented and decided in the manner hereinafter provided for.

SEC. 47. *When Order or Decision shall be Rendered.* – The award of forest area; rejection or disapproval of application for license, lease or permit, or the extension or renewal thereof; the suspension of a license, lease or permit; imposition of fines and penalties upon the holder thereof for violation of the terms and conditions of the license, lease or permit; or of any provisions of this Code, or the internal revenue, labor or any existing laws or regulations affecting the forest resources; the exoneration of the grantee therefrom; and the disposition of bonds shall be decided by the Director or his duly delegated representative. The regional director shall have original jurisdiction to decide adverse claims and conflicts.

SEC. 48. *When Order or Decision Becomes Final.* – Except as otherwise expressly provided hereunder, an order or decision of the Director under this Code shall become final after thirty (30) days following the receipt by the party concerned of such order or decision, unless in the meantime an appeal therefrom is taken or a motion for reconsideration is filed by the aggrieved party to suspend the running of the period, and in a manner prescribed herein.

An order or decision of the Director in the following cases shall be executory immediately upon promulgation:

- (a) award of license, lease or permit, or the renewal thereof;
- (b) suspension of logging operations for reasons specified under this Code and/or other related rules and regulations; and
- (c) exoneration of a licensee, lessee or permittee from reported violation of the provisions of this Code or related laws and regulations.

SEC. 49. *Motion for Reconsideration, Grounds, Period for Filing, etc.* – Within thirty days (30) days from the receipt of an order or decision, an aggrieved party may file a motion for reconsideration of said order or decision for one or more of the following causes materially affecting the substantial rights of said party:

- (a) the order or decision is not in conformity with the applicable law, or regulations, or with the evidence presented;
- (b) fraud, accident, mistake or excusable negligence which ordinary prudence could not have guarded against and by reason of which the movant has been impaired in his rights; and
- (c) newly discovered evidence which he could not, with reasonable diligence, have discovered and produced in the investigation or when the order or decision was still under advisement and which, if produced, would probably alter the result thereof.

Any motion for reconsideration filed after the above-prescribed period, or which is not based on any of the above-stated grounds shall not be entertained. Only one motion for reconsideration of an order or decision shall be allowed.

SEC. 50. *Appeal from the Order or Decision of the Regional Director.* – An appeal shall lie from an order or decision of the Regional Director to the Director within the same period prescribed in Section 49 hereof, unless a motion for reconsideration is filed within a like period, in which case an appeal shall be made within

thirty (30) days from the receipt by the aggrieved party of the order disposing of the motion for reconsideration.

The notice of appeal may be delivered or sent to the Regional Director or the Director. In case the notice is sent directly to the Director, a copy of the same shall be furnished the Regional Director, who shall forthwith transmit all the records of the case to the Director.

SEC. 51. *Appeal from the Order or Decision of the Director.* – An appeal from an order or decision of the Director to the Department Head shall be made within the same period and manner as provided for in Section 50 hereof.

SEC. 52. *When Appeal Deemed Perfected.* – An appeal is perfected upon the due filing of the notice of appeal together with the corresponding appeal fee. The appeal fee of fifty (P50.00) pesos shall be paid to the Office with which the appeal is filed, which amount shall accrue to the General Fund.

SEC. 53. *Effect of Appeal; Motion for Reconsideration.* – A perfected appeal, or a motion for reconsideration when filed in due time and on the grounds enumerated in Section 50, shall stay the order or decision of the Director but shall not stay that which is included in the enumeration in the second paragraph of Section 49 hereof.

SEC. 54. *Execution Upon Final Orders or Decision.* – Except as expressly provided in Section 49, second paragraph, and Section 56, no execution shall issue upon an order or decision of the Director until after the period for perfecting an appeal or for filing a motion for reconsideration has expired.

SEC. 55. *Execution Pending Appeal.* – The Director may, before an appeal is perfected and upon motion of the prevailing party with notice to the adverse party, by special order, direct the execution of his order or decision even before the expiration of the

time to appeal upon good and meritorious reasons to be stated in the special order.

SEC. 56. *Stay of Execution.* – An order of execution issued before the lapse of the period to appeal may be stayed upon motion seasonably filed and upon the filing of a bond reasonably sufficient to secure the performance of the order or decision in case it be affirmed wholly or in part to answer for any damage that may be caused by the suspension of the effect of such order or decision.

SEC. 57. *Adverse Claim.* – Any person who believes himself to be the rightful owner, grantee or possessor of the land subject of an application for a license, lease or permit under this Code, or who claims to have priority over the same shall, before the lapse of one (1) year after the issuance of the license, lease or permit, file in writing and under oath his opposition in the Office of the Regional Director, stating therein the basis of his priority or the grounds therefor, and submitting in support thereof a sworn declaration of two credible witnesses, and such other documents which he may care to present: *Provided*, that, in case the Regional Director shall be officially notified of not more than thirty (30) days from notice by the Regional Director within which to file his protest in due form, copy or copies of which shall be furnished by the claimant to other interested parties at the same time. Any claim or protest filed beyond the period herein set forth shall not be entertained.

SEC. 58. *Conflict.* – Any licensee, lessee or permittee who believes that another licensee, lessee or permittee has encroached upon the area covered by that of the former shall report the matter to the Regional Director or any local forestry office within thirty (30) days after the aggrieved party learned of the encroachment commenced, otherwise the complaint shall not be entertained.

SEC. 59. *Investigation of Claims and Conflicts.* – Adverse claims when properly asserted and reports of conflicts received within the time specified in the next preceding Section shall be caused to be investigated, if this has not yet been done, by the Regional Director. The investigation shall be made whenever necessary in the very

ground and after both parties have been advised of the time, date, and place where it will be held, and of the nature of the case. The notice of investigation shall be served upon them at least one week before the date set therefor.

SEC. 60. *Report of Investigation.* – The report of investigation shall state, among other things, the following: (a) who is in actual possession of the disputed area; (b) since when and how the possession was made; (c) whether the occupant, if a licensee, lessee or permittee, is utilizing the land under the terms and conditions of his license, lease or permit; (d) since when and to what extent the occupant has utilized the forest resources of the area occupied by him; (e) what improvements are found on the land; (f) what they consist of and when they were introduced; and (g) muniments of title of occupant.

The report shall likewise be accomplished with copies of the notice to the parties with evidence of their receipt thereof, as well as the declaration of the parties and their witnesses who testified in the investigation, and other documentary evidence pertinent to the just resolution of the controversy.

SEC. 61. *Mode of Filing Appeal, Memorandum or Brief.* – Within a prescribed period, the appellant shall file a brief or memorandum containing a concise statement of the facts of the case, the assignment of errors, and the arguments supporting the appeal. Copy of the appeal, brief or memorandum shall be furnished the appellee. The records of the case shall be forwarded to the Office with which the appeal was filed.

SEC. 62. *Answer.* – If the petition is sufficient in form and substance, the Regional Director, Director or the Department Head, as the case may be, shall issue an order requiring those against whom the petition is filed or answer the same within fifteen (15) days from the receipt thereof.

SEC. 63. *Action after Answer is Filed.* – Once the answer is filed, or the time for its filing has expired, the Regional Director, Director

or the Department Head, as the case may be, shall investigate the case. If after investigation, it is found that the allegation in the petition is not true, the petition shall be dismissed, otherwise the petition shall be granted, or the order or decision complained of set aside upon such terms and conditions as may be just.

SEC. 64. *Finality of Decision Promulgated by the Department Head.* – The decision of the Department Head on the appealed case and suspension or cancellation of licenses, leases or permits, as well as other cases covered by this Code shall become final after thirty (30) days from the date of the receipt of a copy thereof by the interested parties, unless otherwise specifically stated therein, or a timely motion for reconsideration is filed. In the latter case, the provision of Section 49 hereof shall apply.

SEC. 65. *Execution and Stay of Execution of Department Head's Decision.* – The provisions of Sections 55 and 56 hereof shall apply with respect to decisions of the Department Head subject of the preceding Section.

SEC. 66. *Appeal from the Order/Decision of the Department Head.* – The party not satisfied with the order or decision of the Department Head may take the matter to the Supreme Court or the Court of Appeals, as the case may be, in a proper proceeding, within thirty (30) days from receipt of such order or decision. Only questions of law may be brought before the Supreme Court.

Finding of facts of the Director, when affirmed by the Department Head, shall be final and conclusive.

SEC. 67. *Suppletory Application of Rules of Court; Other Laws.* – The Rules of Court and other related laws shall apply in a suppletory character whenever practicable and convenient.

ARTICLE X. - PROHIBITION AND PENALTIES

SEC. 68. *Free Entry by Forest Officers or Other Persons.* – When in the performance of their official duties, forest officers or

other government officials or employees, shall have free entry into the public forests, national parks, forest reserves, game refuges and bird sanctuaries. It shall be unlawful for any existing concessionaire, lessee, licensee or permittee and their agents, representatives or employees to bar or prevent entry of such forest officers or other government officials or employees to areas under concession, lease, license or permit. Violation of this Section shall be sufficient cause for cancellation of such concession, lease, license or permit.

SEC. 69. *Cutting, Gathering, and/or Collection of Timber or Other Products.* – The penalty of prison correccional in its medium period and a fine of five (5) times the minimum single forest charge on such timber and other forest products in addition to the confiscation of the same products, machineries, equipments, implements and tools used in the commission of such offense; and the forfeiture of improvements introduced thereon, in favor of the Government, shall be imposed upon any individual, corporation, partnership, or association who shall, without permit from the Director, occupy or use or cut, gather, collect, or remove timber or other forest products from any public forest, proclaimed timberland, municipal or city forest, grazing land, reforestation project, forest reserve of whatever character; alienable or disposable land: *Provided*, That if the offender is a corporation, partnership or association, the officers thereof shall be liable.

The same penalty above shall also be imposed on any licensee or concessionaire who cuts timber from the license or concession of another without prejudice to the cancellation of his license or concession, as well as his perpetual disqualification from acquiring another such license or concession.

SEC. 70. *Pasturing Livestock.* – The penalty of prison correccional in its minimum period and a fine of ten (10) times the regular rentals due in addition to the confiscation of such livestock and all improvements introduced therein in favor of the Government, shall be imposed upon any individual, corporation, partnership or association who shall, without permit or lease from the Director, graze or cause to graze livestock in the public forest, proclaimed

timberland, municipal or city forest reserve of whatever character, declared alienable or disposable land which have not as yet been disposed of in accordance with the Public Land Act: *Provided*, That in case the offender is a corporation, partnership or association, the officers thereof shall be liable.

SEC. 71. *Survey by Unauthorized Person.* – The penalty of prison correccional in its medium period in addition to the confiscation of the implements used in violation of this Section including the cancellation of the license, if any, shall be imposed upon any person who shall, without permit to survey from the Director, enter the public forest, proclaimed timberland, municipal or city forest and pasture, reforestation project, national park and forest reserve to conduct or undertake survey for whatever purpose.

SEC. 72. *Misclassification and Survey by Government Official or Employee.* – Any public officer or employee who knowingly survey, classify, or recommend the release of public forest lands as alienable or disposable contrary to the criteria and standards established in this Code, or the regulations promulgated thereunder, shall, in addition to the nullification of such survey, classification or release, be dismissed from the service with prejudice to re-employment and shall suffer an imprisonment of not less than one (1) year and a fine of not less than one thousand pesos (P1,000.00).

SEC. 73. *Tax Declaration on Real Property.* – The penalty of prison correccional in its medium period and perpetual disqualification from holding an elective or appointive office, shall be imposed upon any public officer or employee who shall issue a tax declaration on real property without a certification from the Director and the Director of Lands or their duly designated representative that the area declared for taxation is alienable or disposable land, except when such lands are titled or have been occupied and possessed by members of the national cultural communities prior to July 4, 1955.

SEC. 74. *Coercion and Influence.* – Any person who coerces, influences, abets or persuades the public officer or employee referred

to in the next preceding Section to commit any of the acts therein mentioned shall suffer an imprisonment of not less than one (1) year and a fine of five hundred (P500.00) pesos for every hectare or a fraction thereof so improperly surveyed, classified or released.

SEC. 75. Unlawful Occupation of Public Forest or Destruction of Forest Reserve. – It shall be unlawful for any person who, having no prior written permission from the Director or his duly authorized representative, willfully enter and occupy or possess for his own private use or for others any public forest, reforestation project, forest reserve of whatever character or municipal/city pasture or forest, or in any manner destroy such forest or part thereof, or to cause any damage to the timber stand and other forest products and forest growths found therein, or to assist, aid or abet any other person to do so. It shall be unlawful for any person to set or to negligently permit a fire which has been set upon his own premises or lands under his jurisdiction or occupied by him, to be communicated to any public forest hereinabove described. It shall further be unlawful for any person or association to occupy or use any part of the public forest without permit or lease as herein required, or cause damage to the forest or the resources found therein.

Any person or association of persons found to have committed any of the aforesaid acts shall be fined not less than five hundred (P500.00) pesos and imprisoned for not less than six (6) months for each offense; and shall likewise be liable to the payment of ten (10) times the rental and other charges now or hereafter provided for by regulations corresponding to the nature of use and the period that such area is illegally occupied; except that in cases falling under Sections 32 and 82 hereof, the penalty provided therein shall be imposed and no other regardless of whether the entry, occupation and utilization of the area was made before the completion of the initial forest occupancy. In all cases falling under this Section, the Court shall upon conviction, order the eviction of the offender from the land and the forfeiture to the Government of all improvements made and all vehicles, domestic animals, and equipment of any kind used in the commission of the offense. If not suitable for use by the Bureau, said vehicles, domestic animals, equipments and

improvements shall be sold at public auction, the proceeds of which shall accrue into the Research and Development Fund of the Bureau.

SEC. 76. *Unlawful Possession of Implements and Devices Used by Forest Officers.* – The penalty of prison correccional in its medium period and fine of not less than one thousand (P1,000.00) pesos in addition to the confiscation of such implements and devices, and the automatic cancellation of the forestry permit, lease or license, if the offender is a holder thereof, shall be imposed upon any individual, corporation, partnership or association who shall, without authority from the Director or his authorized representative, cut, make, manufacture, or have in his possession any government marking hatchet or other marking implements, or any mark, poster, or other device officially used by officers of the Bureau for the marking or identification of timber or other products, or any duplicate, counterfeit, or imitation thereof, or make or apply a government mark on timber or any other forest products by means of any authentic or counterfeit government marking hatchet, implement, mark, poster, or other device, or alter, deface, or remove government marks, or signs from trees, logs stumps, firewoods, or other forest products, or destroy, deface, remove, or disfigure any such mark, sign, poster or warning notices set by the Bureau to designate the boundaries of cutting areas, municipal or city forest or pasture, classified timber land, forest reserve, national park, to make any false mark or imitation of any mark or sign herein indicated: *Provided*, however, That if the offender is a corporation, partnership or association, the officer thereof shall be liable.

SEC. 77. *Fraud in the Kind, Quality and Measurement of Logs, Lumber and Other Processed Wood Products Offered for Sale.* – It shall be unlawful to sell or offer for sale any log, lumber, plywood or other manufactured wood product in the international or domestic market except in accordance with grading rules established or to be established by the Government.

Failure to adhere to the established grading rules and standards or any act of falsification of the volume of logs, lumber, or other forest products shall be a sufficient cause for the suspension

of the export, sawmill, or other license or permit authorizing the manufacture or sale of such products for a period of not less than two (2) years.

It is further provided that every dealer in lumber and other building materials covered by this Code is under obligation to issue an invoice for each transaction or sale of such material and state on each invoice that the kind, standard and size of material sold to each purchaser is exactly the same as described in the invoice. Any violation of this Section shall be sufficient ground for the suspension of the dealer's license for a period of not less than two (2) years and in addition thereto, shall be punished for each such offense by a fine of not less than two hundred pesos (P200.00) or the total value of the invoice, whichever is greater.

Duly accredited representatives of the Bureau shall certify as to the compliance with grading rules by the licensees.

In case the offense of fraud is willfully committed by a government official or employee, he shall, in addition to the above penalties be dismissed from office and permanently disqualified from holding any elective or appointive position.

SEC. 78. Payment, Collection and Remittance of Forest Charges.

– Any individual, corporation, partnership or association who shall fail to pay the amount already due and payable under provisions of this Code or rules and regulations promulgated thereunder, shall be liable for the payment of a surcharge of twenty-five per centum (25%) of the amount due and payable. Failure to pay the amount due, including surcharges thereof, within sixty (60) days after the same has become due and payable, shall be a sufficient cause for the suspension or cancellation of the license, lease, permit or timber sales contract and forfeiture of the corresponding bond deposit of the licensee, lessee, permittee or sales contractor.

Any person who fails or refuses to remit to the proper authorities said forest charges collectible pursuant to the provisions of this Code, or who delays, obstructs or prevents the same, or who

orders, causes or effects the transfer or diversion of the funds for purposes other than those specified in this Code, for each such offense shall, upon conviction, be punished by a fine of not exceeding one hundred thousand pesos (P100,000.00) and/or imprisonment for a period of not exceeding six (6) years in the discretion of the Court. If the offender is a government official or employee, he shall, in addition, be dismissed from the service with prejudice to reinstatement and with disqualification from holding any elective or appointive office.

If the offender is a corporation, partnership or association, the officers thereof shall be liable.

SEC. 79. *National Park System.* – Any person who knowingly or deliberately violates any provisions of Section 19 of this Code, or regulations promulgated thereunder or shall, without permit, where the same is required, occupy for any length of time any portion of the areas in the national parks system or shall, in any manner, cut, destroy, damage or remove timber of any species of vegetation or forest cover and other natural resources found therein, or shall mutilate, deface or destroy objects or natural beauty or of scenic value within areas in the national park system, shall be liable to a fine of not less than two hundred (P200.00) pesos or more than five hundred pesos (P500.00) exclusive of the value of the thing damaged: *Provided*, That if the area requires rehabilitation or restoration as determined by the Director, the violator shall also be required to restore or compensate for restoration of the damage: *Provided*, further, That any person who, without proper permit shall hunt, capture, or kill any kind of bird, fish or wild animals life within any area in the national park system shall be subject to the same penalty as heretofore mentioned. In case of a company or corporation, the president or manager shall be directly responsible and liable for the act of his employees or laborers; and that the Court shall, upon conviction, order the eviction of the offender from the land and that all timber or any species of vegetation and other natural resources collected or removed or any construction or improvement made thereon by the offender shall be forfeited in favor of the Government.

In the event an official of a city or municipal government is primarily responsible for detecting and convicting the violator of the provisions of this Section, fifty per centum (50%) of the fines collected shall accrue to such municipality or city for the development of local parks.

SEC. 80. *Wildlife Resources.* – Any person violating the provisions of Section 31 of this Code, or the regulations promulgated thereunder, shall be fined not less than one hundred pesos (P100.00) for each such violation and in addition shall be denied a permit for a period of three (3) years from the date of the violation.

SEC. 81. *Kaingin.* – Any person or association of persons who violates the provisions of Section 34 of this Code, or the regulations promulgated thereunder, or encourages, abets or knowingly permits, through negligence, inaction or positive action, encroachment or unauthorized occupancy of the public forests shall, upon conviction, be imprisoned for a period of not less than one (1) year, without prejudice to the payment of the full cost of restoration of the occupation area as determined by the Bureau. The offender shall thereafter be evicted from the premises and all improvements thereon shall be confiscated and forfeited in favor of the Government.

In case the offender is a government official or employee, he shall, in addition to the above penalties, be deemed automatically dismissed from office and permanently disqualified from holding any elective or appointive position.

ARTICLE XI. - GENERAL PROVISIONS

SEC. 82. *Words and Phrases Defined.* – As used in this Code:

(a) “Timber or Forest Land” refers to that portion of the public domain, characterized by a predominant growth of trees or wood species, including nipa, mangrove and other swamps, which has been delimited, classified and declared as such; the phrase includes all lands of the public domain not otherwise classified as agricultural

or alienable, industrial or commercial, residential, resettlement, mineral or grazing land.

(b) “Public Forest” synonymous to “timber or forest land.”

(c) “Permanent Forest” or “Forest Reserve” refers to forest or timber land so delimited, classified and proclaimed for forest uses, the boundaries of which cannot be modified nor altered except to conform with subsequent precise surveys but not to exclude any portion thereof, and upon approval of the President.

(d) “National Park” refers to any portion of the public domain, essentially of primitive or wilderness character which, by Presidential proclamation, has been withdrawn from settlement or occupancy and set aside as such exclusively to preserve the scenery, the natural and historic objects and the wild animals or plants therein, and to provide enjoyment of these features in such a manner as will leave them unimpaired for future generations.

(e) “Game Refuge and Bird Sanctuary” refers to an area designated for the protection of game animals, birds and fish which is closed to hunting and fishing in order that the excess population may flow out and restock surrounding areas and all disturbances are limited particularly to those of man-made origin.

(f) “Reforestation Project” refers to any portion of the public domain which is essentially openland needing reforestation or afforestation and declared as such by the Department Head.

(g) “Marine Park” refers to any off-shore area inhabited by rare and unique species of marine flora and fauna.

(h) “Grazing Land” refers to that portion of the public domain characterized by a predominant growth of grass species suitable for domestic and wild-animal feeds.

(i) “Range Land” is synonymous to “grazing land”.

(j) “Alienable or Disposable Land” is that portion of the public domain certified by the Director as not needed for forestry purposes and not required by public interest to be retained under forest cover and declared as such by the Department Head.

(k) “Working Unit” refers to the primary unit of forest management, with well-defined boundaries usually based on topography, sufficient to support the predetermined wood requirement of dependent industries or communities on a sustained-yield basis.

(l) “Forest Product” means timber, pulpwood, firewood, bark, tree top, resin, gum, wood oil, beeswax, nipa, rattan, or other forest growth such as grass, shrub, and flowering plant, the associated water, fish, game scenic, historical, recreational and geologic resources in public forest, national park, game refuge and bird sanctuary and other such areas.

(m) “Multiple-Use” means the protection, development and management of all the resource values of the public forest in the combination that best contributes to the long term socio-economic development. Use of some of the land and its resources for such single or limited uses as national parks, forest recreation areas or protected watersheds is an accepted part of multiple-use but only when such uses or services cannot be provided in combination with other uses.

(n) “Sustained-Yield” implies continuous or periodic production of its product with the aim of achieving at the earliest practicable time an approximate balance between growth and harvest or use. This is generally applied to the commercial timber resources and is equally applicable to the water, grass, wildlife, and other renewable resources of the forest.

(o) “Timber” when used for purposes of collecting forest charges or fees, refers to any piece of wood having an average diameter of at least 15 centimeters and at least 1.5 meters long.

(p) “License, Lease or Permit” refers to a written authority granted by the Director or Department Head to any qualified person or entity for the cutting, removal and utilization of forest products or for the occupancy and use of a particular portion of the public forest. The term “license” or “lease” is synonymous to “license agreement” or “lease agreement.”

(q) “Management Plan” refers to the written guideline for the proper and systematic conservation, utilization, management and development of timber and other forest resources of a specific forest area.

(r) “Ecosystem” means the ecological community considered together with non-living factors and its environment as a unit.

(s) “Forest Officer” means any official or employee of the Bureau who, by the nature of his appointment or the functions of the position to which he is appointed, is delegated by law or by competent authority to execute, implement or enforce the provisions of this Code, other related laws as well as their implementing regulations.

(t) “Processing Plant” as used in this Code is any mechanical set-up, machine or combination of machines used for the processing of logs and other forest raw materials into lumber, veneer, plywood, wallboard, blackboard, paper board, paper or similar finished products. The term “processing plant” includes circular sawmill, band sawmill, pulp and paper mill, veneer plant, plywood plant, wallboard plant and blackboard plant.

(u) “Private Right” as used in this Code, shall mean or refer to rights of ownership under existing laws and in the case of primitive tribes, to rights of possession existing at the time a license is granted under this Code, which possession may include places of abode and worship, burial grounds, and old clearings, but excludes production forest inclusive of logged over areas, commercial forests and established plantations of forest trees and trees of economic value.

(v) “Primitive Tribe” is a group of endemic tribesmen living primitively as a distinct portion of a people from a common ancestor.

(w) “Mainroad” means that principal haul road between the nearest national or provincial road and/or the log pond or manufacturing plant of the licensee and the most distant points or points of the license area or a point of connection with the main road of an adjacent licensee as may be prescribed by the Director.

SEC. 83. *Separability Clause.* – Should any provision herein be subsequently declared unconstitutional, the same shall not affect the validity or the legality of the other provisions.

SEC. 84. *Implementing Clause.* – The Department Head is hereby authorized to create such number of positions and appoint the corresponding personnel as well as fix their compensations, as may be necessary to install the reorganized agency under this Code. There is hereby appropriated out of the General Fund of the National Treasury not otherwise appropriated such amount corresponding to the salaries of the personnel to be appointed under this provision. Such appropriation shall include the necessary amount to cover the cost of suitable uniforms to be required of forest officers, and to be given as annual uniform allowance.

He shall promulgate such rules and regulations for the effective implementation of the provisions of this Code.

SEC. 85. *Repealing Clause.* – All laws, orders, rules and regulations or any part thereof which are inconsistent herewith are hereby repealed accordingly.

SEC. 86. *Date of Effectivity.* – This Code shall take effect immediately upon promulgation thereof.

DONE in the City of Manila, this 5th day of February, in the year of Our Lord, nineteen hundred and seventy-four.

(Sgd.) FERDINAND E. MARCOS
President of the Philippines

By the President:

(Sgd.) ALEJANDRO MELCHOR
Executive Secretary

MALACAÑANG
RESIDENCE OF THE PRESIDENT OF THE PHILIPPINES
MANILA

PRESIDENTIAL DECREE NO. 444

AMENDING CERTAIN SECTIONS OF REPUBLIC ACT
NUMBERED THREE THOUSAND EIGHT HUNDRED AND
FORTY-FOUR, AS AMENDED, ENTITLED "THE CODE OF
AGRARIAN REFORMS IN THE PHILIPPINES"

WHEREAS, certain provisions of Republic Act Numbered Three Thousand Eight Hundred and Forty-Four were amended by Presidential Decree Numbered Two Hundred and Fifty-One in order to strengthen and revitalize the Land Bank of the Philippines and thus provided it with the means to effectively discharge its role as the financing arm of the Government for land reform;

WHEREAS, further modifications in Republic Act Numbered Three Thousand Eight Hundred and Forty-Four are necessary in order to improve the organizational and administrative structure of the Land Bank of the Philippines, as well as strengthen its capital base.

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers in me vested by the Constitution, do hereby decree and order:

SECTION 1. A new section is hereby added after section seventy-seven of Republic Act Numbered Three Thousand Eight Hundred and Forty-Four, to read as follows:

"SEC. 77-A. The provisions of their respective charters to the contrary notwithstanding, all government-owned or controlled corporations, including government financial institutions, are authorized to invest in preferred shares of the Land Bank of and/or accept those shares in exchange for any of their assets or properties under such terms and conditions as shall be agreed

upon between the corporations or institutions concerned and the Land Bank.”

SEC. 2. Section eighty-six of the said Act is hereby amended to read as follows:

“SEC. 86. The Board of Directors; Membership; Per Diem. - The affairs and business of the Bank shall be directed and its property managed and preserved by a Board of Directors consisting of seven (7) members to be composed of the Secretary of Finance as Chairman, the President of the Bank as Vice-Chairman, the Secretary of Agrarian Reform and the Secretary of Labor as ex-officio members, and three members to be elected as hereinafter provided.

“Annually, on the first Tuesday after the first Monday in December, the stockholders shall meet to take up, among others, the election of three (3) members of the Board of Directors for the succeeding year, each shareholder or proxy to be entitled to as many votes as he may have shares of stock registered in his name on the 31st day of October last preceding and held by him at the time of the election. The said three (3) members of the Board of Directors shall be elected preferably from the holders of the preferred shares depending on the outstanding amount of said shares, as follows: A) Not exceeding P50 million - One member; B) Exceeding P50 million but not over P100 million - Two members; and C) Exceeding P100 million - Three members.

“The Board shall convene as frequently as necessary to discharge its responsibilities properly, but shall meet at least once every two weeks. The Board may be convoked either by the Chairman or, in his absence, the Vice-Chairman.

“The presence of four (4) members shall constitute a quorum.

“All decisions of the Board shall require the concurrence of at least four (4) members.

“The Chairman and the members of the Board shall receive a per diem of two hundred fifty pesos each session of the Board attended, but in no case to exceed two thousand pesos a month.”

SEC. 3. Section eighty-two of the same Act is hereby amended to read as follows:

“SEC. 82. Government Shares. - All shares of stock in the Bank subscribed or owned by the government shall not be entitled to participate in the income earned by the Bank from its investment and other operations, whether in the form of cash or stock dividends or otherwise. Amounts expended for the administration of the Bank shall not be deemed as a participation of the government in income: Provided, That the Bank may declare all its earnings accumulated prior to the issuance of preferred shares as stock dividends to the government as the sole shareholder of the Bank or in lieu of dividends, set aside said earnings as contributed surplus to serve as fund for the guaranteed dividend to preferred shareholders. The manner of distributing the surplus shall be determined by the Board of Directors.”

SEC. 4. Repealing Clause. - All laws, decrees, executive orders, rules and regulations, or parts thereof inconsistent with this Decree are hereby repealed and/or modified accordingly.”

SEC. 5. Effectivity. - This Decree shall take effect immediately.

Done in the City of Manila, this 4th day of May, in the year of Our Lord, nineteen hundred and seventy-four.

(Sgd.) FERDINAND E. MARCOS
President of the Philippines

By the President:

(Sgd.) ALEJANDRO MELCHOR
Executive Secretary

MALACAÑANG
Manila

PRESIDENTIAL DECREE NO. 462

**TRANSFERRING THE ASSETS AND LIABILITIES AS WELL AS
CERTAIN POWER OF THE AGRARIAN REFORM FUND
COMMISSION TO THE LAND BANK OF THE PHILIPPINES**

WHEREAS, under Presidential Decree No. 85 dated December 24, 1972, an Agrarian Reform Fund Commission has been established to mobilize and harness properly all available government resources for the massive funding requirements of agrarian reform as envisioned in Presidential Decree No. 27;

WHEREAS, under Presidential Decree No. 251 dated July 21, 1973, the Land Bank of the Philippines has been revitalized by the grant of additional powers, and increased capitalization to cope with the implementation requirements of the agrarian reform program;

WHEREAS, while Presidential Decree No. 251 intended to consolidate in the Land Bank of the Philippines all functions related to the financing aspects of agrarian reform program by transferring certain functions of the Agrarian Reform Fund Commission to the Land Bank of the Philippines, the function of gathering resources was left with the Agrarian Reform Fund Commission;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers in me vested by the Constitution, do hereby order the transfer of the assets and liabilities of the Agrarian Reform Fund Commission together with the rights and obligations appurtenant thereto including the power to draw and acquire resources from the various government financial institutions and other sources as embodied in Section 1 of Presidential Decree No. 85, to the Land Bank of the Philippines.

Presidential Decree No. 85 dated December 24, 1972 is hereby repealed and all other laws, executive orders, rules and regulations

or parts thereof inconsistent with this Decree are likewise repealed or modified accordingly.

This decree shall take effect upon its approval.

Done in the City of Manila, this 17th day of May, in the year of Our Lord, nineteen hundred and seventy-four.

(Sgd.) FERDINAND E. MARCOS
President of the Philippines

By the President:

(Sgd.) ALEJANDRO MELCHOR
Executive Secretary

MALACAÑANG
Manila

PRESIDENTIAL DECREE NO. 544

AMENDING REPUBLIC ACT NUMBERED SIX THOUSAND
THREE HUNDRED NINETY, AS AMENDED

WHEREAS, it is the policy of Government to increase food production as well as the income of agrarian reform beneficiaries;

WHEREAS, agrarian reform beneficiaries are now being encouraged to engage in the production of multiple crop and in agricultural projects in order to maximize the utilization of their available land and labor resources;

WHEREAS, rural banks, the Philippine National Bank and other financing institutions operating in rural areas are ideal outlets for the granting under supervised credit of the necessary loans to finance the multiple crops/projects of agrarian reform beneficiaries;

WHEREAS, under supervised credit, the amount of loans granted by rural banks and other financing institutions to their borrowers is determined by the actual needs and viability of the projects to be financed and the repayment capacity of the borrowers; and

WHEREAS, the P5,000 maximum loan they may be granted at any one time to a farmer-borrower as provided under Section 16 of Republic Act No. 6390, is no longer realistic in view of the rising cost of production inputs such as fertilizers, feeds, pesticides, medicines, etc.

NOW, THEREFORE, I, FERDINAND E. MARCOS, by virtue of the powers in me vested by the Constitution and in order to help effect the desired changes and reforms in the social and economic structure of our society, do hereby order and decree the amendment of Republic Act No. 6390, as amended, as follows:

SECTION 1. The first paragraph of Section sixteen of Republic Act Numbered Six Thousand Three Hundred Ninety, as amended, is hereby amended to read as follows:

“Privileges and limitation of Rural Banks. — The total amount of loans that may be granted at any one time to a single borrower under the preceding section shall be determined by the actual need and viability of the project to be financed and the capacity of the borrower to repay the loan at interest not exceeding twelve per cent per annum, excluding service fees and other charges.”

SEC. 2. The same act is hereby amended by adding the following section immediately after section seventeen thereof, which shall read as follows:

“SEC. 17-A. Applicability to Other Financing Institutions. — All privileges extended to rural banks under this Act, including guarantee coverage under the Agricultural Guarantee Fund, may likewise apply to the Philippine National Bank and other financing institutions granting loans under supervised credit to agrarian reform beneficiaries.”

SEC. 3. All Acts and part of Acts inconsistent with the provisions of this Decree are hereby repealed, amended or modified.

SEC. 4. This Decree shall take effect immediately.

DONE in the City of Manila, this 22nd day of August, in the year of Our Lord, nineteen hundred and seventy-four.

(Sgd.) FERDINAND E. MARCOS
President of the Philippines

By the President:

(Sgd.) ALEJANDRO MELCHOR
Executive Secretary

MALACAÑANG
Manila

PRESIDENTIAL DECREE NO. 583

**PRESCRIBING PENALTIES FOR THE UNLAWFUL EJECTION,
EXCLUSION, REMOVAL OR OUSTER OF TENANT-
FARMERS FROM THEIR FARMHOLDINGS**

WHEREAS, I have declared in various decrees, letters of instructions and other orders, as well as in my speeches and other oral pronouncements that the land reform program is an urgent and vital social and economic reform under the New Society;

WHEREAS, the determination of the Government to implement the program has been demonstrated by various acts, including the revitalization of agencies implementing the program such as the Department of Agrarian Reform and the Land Bank, and the channeling of a major portion of government resources to the program, as well as the promulgation of decrees, letters of instructions and other orders designed to hasten the implementation of the program and the protection of the tenants;

WHEREAS, notwithstanding all the foregoing, there remains a strong resistance to the program on the part of some of our citizen, including government officials, and this has been made evident by direct acts such as the ejection of tenant-farmers notwithstanding the prohibition against ejection of tenant-farmers under Presidential Decree No. 316, and some subtle schemes intended to obstruct the progress of the program or to keep the tenants in perpetual bondage under a feudalistic system of landownership;

WHEREAS, these acts or schemes against a vital program of the New Society cannot be allowed, and will not be allowed, to remain unpunished or without sanction from the Government.

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers in me vested by the Constitution, do hereby decree and order:

SECTION 1. In view of the determination of the Government to emancipate the tenant-farmers from a feudalistic system of landownership, it is hereby declared a policy of the State, in furtherance of its desire to protect the tenant-farmers, that no acts or schemes designed to obstruct the implementation of land reform program or obviously in derogation of the rights of tenant-farmers shall remain unpunished.

SEC. 2. Any judge of the Court of Agrarian Relations, Court of First Instance, City or Municipal Court or any fiscal or any investigating officer, including members of the Armed Forces of the Philippines, who shall order the ejectment, ouster, exclusion or removal of any tenant-farmer from the land tilled by him or who shall take cognizance of any ejectment case or any other similar case designed to exclude, oust, eject or remove a tenant-farmer from the land tilled by him without first complying with the provisions of Presidential Decree No. 316 shall, upon conviction, be punished by *prision mayor* and perpetual absolute disqualification.

SEC. 3. Any official or employee of the Government, including members of the Armed Forces of the Philippines, who executes an order for the ouster, removal, exclusion or ejectment of a tenant-farmer, knowing that the order is unlawful as provided under Section 2 of this Decree shall, upon conviction, suffer the penalty of *prision correccional* and perpetual absolute disqualification.

SEC. 4. Unless previously authorized by the Secretary of Agrarian Reform, any land-owner who converts his tenanted land primarily devoted to rice and corn into any non-agricultural use or to the production of any other crop as a means to avoid the application of the land reform laws or decrees to his landholdings and to dispossess his tenant-farmers of the land tilled by them shall, upon conviction, suffer the penalty of *prision mayor* or a fine

ranging from P5,000.00 to P10,000.00, or both, at the discretion of the court.

The same penalty shall be imposed on a landowner who by any other act, scheme or strategy shall eject, exclude, remove or oust and/or causes the ouster, exclusion, removal or ejection of a tenant-farmer from his farmholding in contravention of decrees, laws, and other orders on land reform.

SEC. 5. *Repealing Clause.* – All provisions of existing laws, orders, decrees, rules and regulations inconsistent herewith are hereby repealed or modified accordingly.

SEC. 6. *Effectivity of this Decree.* – This Decree shall take effect immediately.

DONE in the City of Manila, this 16th day of November, in the year of Our Lord, nineteen hundred and seventy-four.

(Sgd.) FERDINAND E. MARCOS
President of the Philippines

By the President:

(Sgd.) ALEJANDRO MELCHOR
Executive Secretary

MALACAÑANG
RESIDENCE OF THE PRESIDENT OF THE PHILIPPINES
MANILA

PRESIDENTIAL DECREE NO. 717

**PROVIDING AN AGRARIAN REFORM CREDIT AND FINANCING
SYSTEM FOR AGRARIAN REFORM BENEFICIARIES
THROUGH BANKING INSTITUTIONS**

WHEREAS, it is a declared national policy to give first priority to measures for the adequate and timely financing of the Agrarian Reform Program;

WHEREAS, government and private banking institutions are in the best position to extend adequate agrarian reform credit to agrarian reform beneficiaries;

WHEREAS, there is a need of flexibility of government policy on agrarian reform credit and for a realistic approach to the credit needs of agrarian reform beneficiaries;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by the Constitution, do hereby decree and order to be part of the laws of the land the following:

SECTION 1. There shall be evolved an agrarian reform credit and financing system for the beneficiaries of agrarian reform, namely: tillers, tenant-farmers, settlers, agricultural lessees, amortizing owners, owner-cultivators, farmers cooperatives and compact farms, through government and private banking institutions.

Agrarian reform credit, as used herein, shall include production or other types of loans for acquisition of work animals, farm equipment and machinery, seeds, fertilizers, poultry, livestock, feeds and other similar items; acquisition of lands authorized under the Agrarian Reform Code of the Philippines and its amendments;

construction and/or acquisition of facilities for production, processing, storage and marketing; and efficient and effective merchandising of agricultural commodities stored and/or processed by the facilities a forecited in domestic and foreign commerce.

SEC. 2. The credit mentioned in the next preceding Section may be extended to the beneficiaries named therein based on the feasibility of the project and their paying capacity, their estimated production, and/or securities they can provide as well as such assets as may be required by them from the proceeds of the loan.

SEC. 3. All banking institutions, whether government or private, shall set aside at least twenty-five per cent (25%) of their loanable funds for agricultural credit in general, of which at least ten per cent (10%) of the loanable funds shall be made available for agrarian reform credit to beneficiaries mentioned in Section 1 hereof: PROVIDED, however, that loanable funds as used in this Section shall refer to funds generated from the date of effectivity of this Decree; PROVIDED, FURTHER, that the national Economic and Development Authority may increase or decrease such percentages whenever so recommended by the Department of Agrarian Reform and Central Bank of the Philippines taking into consideration the magnitude of the credit needs of the beneficiaries of agrarian reform.

SEC. 4. The Central Bank of the Philippines, in consultation with and/or upon the recommendation of the Department of Agrarian Reform, shall promulgate such rules and regulations as may be necessary to implement the provisions of this Decree. Subject to such rules and regulations, banking institutions may be allowed to:

a) Invest, in such government securities, as may be declared eligible by the Central Bank of the Philippines, any portion of the amount set aside for agrarian reform credit not actually loaned out; PROVIDED, however, that the issuing government entity shall stand ready to monetize, encash or repurchase such securities whenever funds are needed by the banks holding the said securities, for lending to the beneficiaries of agrarian reform; and

b) Rediscount with the Central Bank of the Philippines eligible paper covering agrarian reform credits.

SEC. 5. All laws, decrees, rules and regulations, or parts thereof, as may be inconsistent herewith are hereby repealed or modified accordingly.

SEC. 6. This Decree shall take effect immediately.

Done in the City of Manila, this 29th day of May, in the year of Our Lord, nineteen hundred and seventy-five.

(Sgd.) FERDINAND E. MARCOS
President
Republic of the Philippines

By the President:

(Sgd.) ALEJANDRO MELCHOR
Executive Secretary

MALACAÑAN PALACE
MANILA

PRESIDENTIAL DECREE NO. 792

CREATING THE PRESIDENTIAL COMMITTEE ON
AGRICULTURAL CREDIT

WHEREAS, the agricultural sector generates employment for almost half of the entire Filipino population and accounts for one-third of the gross domestic product;

WHEREAS, further agricultural development is essential not only for the efficient utilization of available and manpower resources but for the success of our effort to produce enough food for our people;

WHEREAS, credit is a crucial key to agricultural development, as proven by the Masagana 99 program;

WHEREAS, our credit resources are limited and must be channeled to areas where they are most needed and where they will generate the greatest social and economic benefits to our farmers;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by the Constitution, do hereby order and decree that:

SECTION 1. A Presidential Committee on Agricultural Credit (PCAC) shall be immediately created with the Governor of the Central Bank as Chairman, the Secretary of Agriculture as Vice-Chairman and the following members:

The Director-General National Economic and
Development Authority

The Secretary Department of Local Government and
Community Development

The Secretary Department of Natural Resources

The Secretary Department of Agrarian Reform

The President Philippine National Bank

The Chairman of the Board of Governors

Development Bank of the Philippines

The President Land Bank of the Philippines

- (a) Advise all government financial institutions on matters related to agricultural credit programs;
- (b) Review ongoing and proposed agricultural credit programs, and recommend modifications where necessary;
- (c) Ensure coordination in the implementation of agricultural credit programs, not only among financial institutions, but also between these institutions and government agencies involved in the implementation of said programs;
- (d) Synchronize credit programs for production with credit programs for such activities as (1) land development and improvement, (2) farm mechanization, (3) production and supply of agricultural inputs, (4) transportation and storage, (5) processing, (6) marketing, and other related activities;
- (e) Establish priorities and set loan ceilings for the purpose of allocating scarce credit resources;
- (f) Exercise the same authority over institutions not mentioned above but involved in agricultural credit, and whose funds are derived, even if only partially, from the above-named institutions.

SEC 3. A Technical Board for Agricultural Credit (TBAC) shall be created simultaneously with the PCAC to assist the PCAC in the implementation of the aforementioned functions. The TBAC shall have the Deputy Governor of the Central Bank for Bank Supervision and Examination as Chairman, and following, or their respective representatives, as members;

The Undersecretary for Cooperatives
Department of Local Government and Community
Development

The Assistant Secretary Department of Agriculture

The Assistant Secretary Department of Natural Resources

The Assistant Director-General Programs and Projects Office
National Economic and Development Authority

The Bank Economist and Vice-President Philippine National
Bank

The Executive Director National Food and Agriculture Council

The Assistant Secretary and Director of the Bureau of Farm
Management Department of Agrarian Reform

The Administrator Agricultural Credit Administration

The Manager of the Agricultural Department

Development Bank of the Philippines

The Senior Vice-President Land Bank of the Philippines

The Director of the Department of Rural Banks, Savings and
Loan Associations
Central Bank of the Philippines

SEC. 4. The TBAC will organize and commission its staff and/or other agencies to do research work, conduct surveys and make studies essential to the proper design and improvement of the agricultural credit programs. These are envisioned to accelerate the development of the agricultural sector. Members of said staff, to be hired by TBAC shall not be considered employees of the Central Bank although they shall be administratively under the direction of the Deputy Governor of the Central Bank for Supervision and Examination. The same shall be exempted from Civil Service and WAPCO regulations.

SEC. 5. The Budget Commission is hereby instructed to add annually the amount of P2.5 million to the budget of the Department of Agriculture for the purpose of financing all the administrative and operating expenses of the PCAC, including research and surveys.

SEC. 6. The PCAC is hereby authorized to receive and utilize donations and grants from local and/or foreign sources to augment its annual budget.

SEC. 7. All laws and executive orders, or parts thereof, contrary to, or inconsistent with the provisions of this Decree are hereby repealed, amended or modified accordingly.

This Decree shall take effect immediately.

Done in the City of Manila, this 4th day of September, in the year of Our Lord, nineteen hundred and seventy-five.

(Sgd.) FERDINAND E. MARCOS
President of the Philippines

By the President:

(Sgd.) ROBERTO V. REYES
Acting Executive Secretary

MALACAÑANG
MANILA

PRESIDENTIAL DECREE NO. 815

AMENDING SECTION 4 OF P.D. NO. 583, DATED NOVEMBER 16, 1975, "PRESCRIBING PENALTIES FOR THE UNLAWFUL EJECTION, EXCLUSION, REMOVAL, OR OUSTER OF TENANT-FARMERS FROM THEIR FARMHOLDINGS."

WHEREAS, there is an urgent need to further strengthen the security of tenure of the tenant-farmers/agricultural lessees in the cultivation of the landholding planted to rice and corn;

WHEREAS, despite various Decrees, Letter of Instructions and other Orders as well as speeches and other pronouncements by me that tenant farmers and agricultural lessees should not be ejected or dispossessed of the lands being cultivated by them, some landowners, landholders, and/or agricultural lessors have resorted to various schemes and devices with which to circumvent the aforementioned pronouncements.

WHEREAS, in view of the numerous disturbing reports that many landowners have subleased their tenanted landholding planted to rice and corn to other persons so that the latter appears in their behalf as the legal possessor thereof without binding the landowner in the event of a violation of the aforementioned Presidential Decrees Nos. 316 and 583, the government must act with dispatch to protect the security of tenure of our tenant/farmers/agricultural lessees;

WHEREAS, this scheme is patently directed against a vital program of the New Society and cannot be tolerated, much less sanctioned, by the government;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers in me vested by the Constitution do hereby decree and order:

SECTION 1. Section 4 of P.D. No. 583 is hereby amended as follows:

“Subject to the studies on zoning of the Human Settlements Commission and unless previously authorized by the Secretary of Agrarian Reform, any landowner, landholder, agricultural-lessor or anybody acting for and in their behalf, who converts his tenanted land primarily devoted to rice and corn into any non-agricultural use or into the production of any other crop as a means to avoid the application of the land reform laws or decrees to his landholdings and to dispossess his tenant-farmers of the land tilled by them shall, upon conviction, suffer the penalty of *prision mayor* or a fine ranging from P5,000.00 to P10,000.00 or both, at the discretion of the Court.

“The same penalty shall be imposed on a landowner, landholder, agricultural-lessor, or anybody acting for and in their behalf, who by any other act, scheme or strategy shall eject, exclude, remove or oust and/or cause the ouster, exclusion, removal or ejection of a tenant-farmer from his farmholdings in contravention of decrees, laws, and other orders on land reform.”

SEC. 2. All provisions of existing laws, orders, decrees, rules and regulations inconsistent herewith are hereby repealed or modified accordingly.

SEC. 3. This decree shall take effect immediately.

Done in the City of Manila, this 21st day of October, in the year of Our Lord, nineteen hundred and seventy-five.

(Sgd.) FERDINAND E. MARCOS
President of the Philippines

By the President :

(Sgd.) ALEJANDRO MELCHOR
Executive Secretary

PD 815 amended PD 583 (sec. 4).

MALACAÑANG
MANILA

PRESIDENTIAL DECREE NO. 816

PROVIDING THAT TENANT-FARMERS/AGRICULTURAL LESSEES SHALL PAY THE LEASEHOLD RENTALS WHEN THEY FALL DUE AND PROVIDING PENALTIES THEREFOR

WHEREAS, under Presidential Decree No. 2, dated September 26, 1972, the whole country has been declared a land reform area;

WHEREAS, the said Presidential Decree covers only tenanted rice and corn landholdings;

WHEREAS, while the implementing rules and regulations of Presidential Decree No. 27 have not yet been issued completely, the status quo shall be maintained between the parties, that is, the landowner shall continue to pay the land taxes thereon if the said landholding is not yet covered by a Certificate of Land Transfer, while on the other hand the tenant-farmer who is now called agricultural lessee shall continue to pay the rental to the landowner whether or not his landholding planted to rice and corn is already covered by a Certificate of Land Transfer;

WHEREAS, such payment of rental shall continue until and after the valuation of the property shall have been determined or agreed upon between the landowner and the determined of Agrarian Reform which, in turn, will become the basis of computing the amortization payment to be made by the agricultural lessee in 15 years with 6% interest per annum under Presidential Decree No. 27;

WHEREAS, it is known that despite the presidential pronouncements that they shall continue to pay the rentals to the landowners/agricultural lessors, some agricultural lessees have stopped and refused to pay their leasehold rentals to their

landowners/agricultural lessors on the assumption that, once the Certificates of Land Transfer are issued in their favor, they are no longer obliged to pay the said leasehold rentals;

WHEREAS, this practice is detrimental to the expeditious implementation of land reform because, as I pointed out on May 7, 1975, it indicates resistance to the government's land reform program and its goals;

WHEREAS, it has always been the policy of the government to equalize the rights and obligations of the landowners/agricultural lessors and the agricultural lessees;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by the Constitution, do hereby decree and order:

SECTION 1. That the continuing and deliberate refusal of the agricultural lessees to pay their leasehold rentals to the landowners/agricultural lessors cannot be countenanced and shall not remain unchecked or unpunished;

SEC. 2. That any agricultural lessee of a rice or corn land under Presidential Decree No. 27 who deliberately refuses and/or continues to refuse to pay the rentals or amortization payments when they fall due for a period of two (2) years shall, upon hearing and final judgment, forfeit the Certificate of Land Transfer issued in his favor, if his farmholding is already covered by such Certificate of Land Transfer, and his farmholding;

SEC. 3. That any agricultural lessee whose landholding is not yet covered by a Certificate of Land Transfer and who shall continue not to pay his lease rentals or amortization payments when they fall due for a period of two (2) years to the landowner/agricultural lessor shall, upon proper hearing and judgment, lose his right to be issued a Certificate of Land Transfer under Presidential Decree No. 27 and his farmholding;

SEC. 4. That landholdings subject of forfeiture under the preceding Section shall be turned over to the Samahang Nayon with which the agricultural lessee is affiliated for assignment to a qualified member or members of the association whose landholding/s is/are of uneconomic size in accordance with the policies laid down by the Department of Agrarian Reform;

SEC. 5. That any action for violation of the provisions of the preceding Sections 2 and 3 shall be cognizable by the Court of Agrarian Relations which is hereby vested with original and exclusive jurisdiction to try and decide the same;

SEC. 6. All provisions of existing laws, orders, decrees, and rules and regulations which are inconsistent herewith are hereby repealed or modified accordingly.

SEC. 7. This Decree shall take effect immediately.

DONE in the City of Manila, this 21st day of October, in the year of Our Lord, nineteen hundred and seventy-five.

(Sgd.) FERDINAND E. MARCOS
President of the Philippines

By the President:

(Sgd.) ALEJANDRO MELCHOR
Executive Secretary

MALACAÑANG
Manila

PRESIDENTIAL DECREE NO. 832

**REORGANIZING THE PRESIDENTIAL ACTION COMMITTEE
ON LAND PROBLEMS (PACLAP)**

WHEREAS, it is the declared policy of the Government to provide more protection and assistance to small settlers and landholders and members of cultural minorities in their struggle for recognition of their right to the land which they occupy;

WHEREAS, social unrest, which sometimes precipitates clashes among our people, often results from long-drawn disputes between big landholders and poor, landless settlers, or between Christians and members of our cultural minorities;

WHEREAS, there is an urgent need to direct and coordinate the activities, particularly the investigation work, of the various government agencies involved in land problems to ensure their speedy, peaceful and satisfactory solution;

WHEREAS, the successful intercession of the PACLAP in many serious and critical land problems has proved to the efficacy of an action-oriented approach to the solution of these problems, and the necessity of continuing its work in potential land-problem areas;

WHEREAS, there is a need to reconstitute the membership of the PACLAP due to the implementation of the Integrated Reorganization Plan and the reorganization of the Department of Agriculture and Natural Resources into two departments;

NOW, THEREFORE, I, FERDINAND E. MARCOS, by virtue of the powers in me vested by the Constitution, do hereby order and decree to be part of the law of the land, the following:

SECTION 1. *Reorganization of the Presidential Action Committee on Land Problems.* - The Presidential Action Committee on Land Problems, herein referred to as the PACLAP, created by Executive Order No. 251, dated July 31, 1970, as amended by Executive Order No. 305, dated March 19, 1971, is hereby reorganized as follows:

Secretary of Natural Resources	Chairman
PANAMIN Secretary	Member
Deputy Executive Secretary	Member
Undersecretary of Agriculture	Member
Undersecretary of Justice	Member
Undersecretary of Agrarian Reform	Member
Undersecretary of National Defense	Member
Chief of Constabulary	Member
Commissioner of Land Registration	Member
Chief, Citizen's Legal Assistance Office	Member
Director of Lands	Member
Director of Forest Development	Member
Director of Mines	Member

The PACLAP shall have a Policy Body which shall formulate its policies and submit them for its approval. The Policy Body shall be composed of the Secretary of Natural Resources, as Chairman, and the following members: the PANAMIN Secretary, the Deputy Executive Secretary, the Undersecretary of Agriculture, the Undersecretary of Justice, the Undersecretary of Agrarian Reform, and the Undersecretary of National Defense. Said Body shall meet upon the call of its Chairman.

The PACLAP shall also have an Executive Committee which shall implement its policies and be in charge of its overall operations. It shall be composed of the Director of Lands, as Chairman, and the following members: the Director of Forest Development, the Chief of the Citizens Legal Assistance Office, the Commissioner of the Land Registration Commission, the Chief of Constabulary, and the

Director of Mines. Said Executive Committee shall meet on call of its Chairman.

The Chairman of the PACLAP may create such sub-committees and positions as may be necessary to enable the PACLAP to perform its functions and discharge its duties effectively.

All the government agencies represented in the membership of the PACLAP and other agencies involved in land problems or disputes shall be member agencies thereof.

SEC. 2. Functions and duties of the PACLAP. - The PACLAP shall have the following functions and duties:

1. Direct and coordinate the activities, particularly the investigation work, of the various government offices and agencies involved in land problems or disputes, and streamline administrative procedures to relieve small settlers and landholders and members of cultural minorities of the expense and time-consuming delay attendant to the solution of such problems or disputes;

2. Refer for immediate action any land problem or dispute brought to the attention of the PACLAP, to any member agency having jurisdiction thereof: Provided, That when the Executive Committee decides to act on a case, its resolution, order or decision thereon, shall have the force and effect of a regular administrative resolution, order or decision, and shall be binding upon the parties therein involved and upon the member agency having jurisdiction thereof;

3. Recommend to the President innovative, bold and decisive measures to resolve expeditiously cases involving, among others, (a) public lands that have been titled in a manifestly erroneous or illegal manner, and (b) implementation of decisions/resolutions of administrative/quasi-judicial agencies vested with jurisdiction to resolve land problems or disputes;

4. Evolve and implement a system of procedure for the speedy investigation and resolution of land disputes or problems at provincial level, if possible;

5. Undertake a comprehensive study of the causes of land disputes or problems in the country and recommend to the President of the Philippines policies and courses of action to avoid or, at least, minimize their occurrence;

6. Study and review present policies as embodied in land laws and administrative rules and regulations, in relation to the need for land of the agro-industrial sector and the small farmer, with the end in view of evolving and recommending new laws and policies and establishing priorities in the grant of public lands;

7. Maintain a systematic and permanent management of all records pertaining to land disputes or problems; and

8. Perform such other functions as may hereafter be assigned to it by the President of the Philippines.

In the performance of its functions and discharge of its duties, the PACLAP is authorized, through its Chairman, to issue *subpoena* and *subpoena duces tecum* for the appearance of witnesses and the production of records, books and documents before it. It may also call upon any department, office, agency or instrumentality of the National Government, including government-owned or controlled corporations, and local government for assistance. This authority is, likewise, conferred upon the Chairman of the Provincial Committee.

SEC. 3. *Executive Director and Secretariat.* - In the performance of its functions and discharge of its duties, the PACLAP shall be assisted by an Executive Director and an Assistant Executive Director who shall both be appointed by the Chairman, and who shall have the rank and shall receive the salary of Assistant Secretary and Department Service Chief, respectively. It shall have a Secretariat, with such personnel as may be necessary, which shall be under the immediate direction and supervision of the Executive Director. The

personnel of the Secretariat and other officials and employees of the PACLAP shall be appointed and their compensation fixed by the Chairman, upon recommendation of the Executive Director.

SEC. 4. *Provincial PACLAP Committee.* When conditions in any province so warrant, the PACLAP shall create a Provincial PACLAP Committee which shall be composed of the following:

Provincial Constabulary	Commander, Philippine	Chairman
District Land Officer		Vice-Chairman
District Forester		Member
Register of Deeds		Member
A representative from the Department of Agrarian Reform		Member
A Representative each of the PANAMIN and Citizens Legal Assistance Office, if available		Members
Provincial Fiscal		Legal Adviser
		ex-officio
Assistant Provincial Commander		Action Officer

The Provincial PACLAP Committee shall receive and investigate cases referred to it by the PACLAP or brought to it by private complainants, resolve cases that it can decide or settle by itself, and submit its report thereon to the PACLAP. It shall also submit to the PACLAP its report, together with the separate investigation report of the local agency concerned, regarding cases which are beyond its competence to resolve or decide.

SEC. 5. *Creation of Special Action Group.* - Within thirty (30) days after the effectivity of this Decree, the heads of the PACLAP member agencies shall create in their respective agencies, a Special Action Group which shall have the following functions and duties:

1. Prepare a program of action for the agency in relation to its role in the settlement of land disputes or problems;

2. Receive and investigate cases referred to the agency by the PACLAP and submit its report thereon;

3. Evolve and implement reasonable, expeditious office procedures to ensure immediate action; and

4. Develop communication/transportation network with the Provincial PACLAP Committee, other Special Action Groups and the Secretariat.

SEC. 6. *Rules and regulations.* - The Chairman shall issue the necessary rules and regulations to carry out the provisions of this Decree.

SEC. 7. *Appropriations.* - There is hereby authorized to be appropriated out of any funds in the National Treasury not otherwise appropriated, the sum of Two million pesos (P2,000,000.00) for the operation of the PACLAP for the current fiscal year. Thereafter, the necessary amount for its operation shall be included in the annual general appropriation law.

SEC. 8. *Repeal of inconsistent laws.* - Executive Orders No. 251, dated July 31, 1970, and No. 305, dated March 19, 1971, and laws, administrative orders, or parts thereof inconsistent herewith are repealed or amended accordingly.

SEC. 9. *Effectivity.* - This Decree shall take effect upon promulgation.

Done in the City of Manila, this 27th day of November, in the year of Our Lord, nineteen hundred and seventy-five.

(Sgd.) FERDINAND E. MARCOS
President of the Philippines

By the President :

(Sgd.) JACOBO C. CLAVE
Presidential Executive Assistant

PD 832 s. 1975 repealed or amended EO 251 s. 1970.
PD 832 s. 1975 repealed or amended EO 305 s. 1971.

MALACAÑANG
Manila

PRESIDENTIAL DECREE NO. 946

**REORGANIZING THE COURTS OF AGRARIAN RELATIONS,
STREAMLINING THEIR PROCEDURES, AND FOR OTHER
PURPOSES**

WHEREAS, the present organizational, operational and procedural set-up of the Courts of Agrarian Relations is not conducive to the effective and efficient implementation of the objectives of the accelerated agrarian reform program;

WHEREAS, the inferior economic, intellectual, social, political and cultural position of the tenant-tillers require suitable changes in the structure, manner of operation and rules of procedure of Courts of Agrarian Relations as well as in the orientation of persons having anything to do with agrarian law and reform if they are to render justice and help attain the emancipation of the tenant-tillers as provided in the Constitution; and

WHEREAS, there is, therefore, an imperative need to reorganize the Courts of Agrarian Relations and to streamline their procedures to achieve a just, expeditious and inexpensive disposition of agrarian cases, and to make the said Courts responsive to the goals of the New Society.

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by the Constitution, do hereby order and decree:

SECTION 1. *The Courts of Agrarian Relations; Supervision.* - The Courts of Agrarian Relations organized and established under Republic Act Numbered thirty-eight hundred and forty-four, as amended, are hereby reorganized and their procedures streamlined in conformity with the provisions of this Decree.

The Supreme Court shall continue to exercise administrative supervision over said Courts.

SEC. 2. Regional Districts, Stations; Residences of Judges.

- The Districts of the Courts of Agrarian Relations shall be the same as those of the Courts of First Instance. The stations of the respective Courts shall be determined by the Supreme Court, except that the Executive Judge shall have his Station in Metropolitan Manila, without prejudice to his holding court in any District where the exigencies of the service so require.

Until otherwise provided by the Supreme Court, the branches (salas) of the Courts shall be stationed as follows:

First Regional District:

- Branch I – Tuguegarao, Cagayan;
- Branch II – Ilagan, Isabela;
- Branch III – Santiago, Isabela;
- Branch IV – Bayombong, Nueva Vizcaya; and
- Branch V – Cabarroguis, Quirino;

Second Regional District:

- Branch I – Laoag City;
- Branch II – San Fernando, La Union; and
- Branch III – Tabuk, Kalinga-Apayao;

Third Regional District:

- Branch I – Lingayen, Pangasinan;
- Branch II – Urdaneta, Pangasinan;
- Branch III – Tayug, Pangasinan; and
- Branch IV – Iba, Zambales;

Fourth Regional District:

- Branch I – Cabanatuan City;

Branch II – Guimba, Nueva Ecija;
Branch III – San Jose City;
Branch IV – Gapan, Nueva Ecija;
Branch V – Tarlac, Tarlac, and
Branch VI – Paniqui, Tarlac;

Fifth Regional District:

Branch I – San Fernando, Pampanga;
Branch II – Angeles City;
Branch III – Guagua, Pampanga;
Branch IV – Baliuag, Bulacan;

Sixth Regional District:

Branch I – Metropolitan Manila (Sala of the Executive Judge);

Seventh Regional District:

Branch I – Pasig, Rizal;
Branch II – Cavite City; and
Branch III -Puerto Princesa City;

Eighth Regional District:

Branch I – Calamba, Laguna;
Branch II – San Pablo City;
Branch III – Lipa City;
Branch IV – San Jose, Occidental Mindoro; and
Branch V – Calapan, Oriental Mindoro;

Ninth Regional District:

Branch I – Lucena City;
Branch II – Gumaca, Quezon; and
Branch III – Baler, Quezon;

Tenth Regional District:

Branch I – Daet, Camarines Norte;

Branch II – Naga City;

Branch III – Legaspi City; and

Branch IV – Sorsogon, Sorsogon;

Eleventh Regional District:

Branch I – Iloilo City;

Branch II – San Jose, Antique;

Branch III – Roxas City; and

Branch IV – Kalibo, Aklan;

Twelfth Regional District: Branches I and II -Bacolod City;

Branch III – San Carlos City; and

Branch IV -Dumaguete City;

Thirteenth Regional District:

Branch I – Ormoc City;

Branch II – Tacloban, Leyte; and

Branch III – Catarman, Northern Samar;

Fourteenth Regional District:

Branch I -Cebu City;

Fifteenth Regional District:

Branch I – Butuan City;

Branch II – Surigao City; and

Branch III – Tandag, Surigao del Sur; and

Sixteenth Regional District:

Branch I – Davao City;

Branch II – Cotabato City;
Branch III – Ozamis City;
Branch IV – Pagadian City;
Branch V – Cagayan de Oro City; and
Branch VI -Iligan City.

In the interest of justice, the Supreme Court may transfer stations within the District and establish new Branches (salas).

Every Judge shall reside within a distance of not more than fifty (50) kilometers by the most direct transportation route from his official station.

SEC. 3. *Judges of the Courts of Agrarian Relations.* - The functions of the Courts of Agrarian Relations shall be vested in an Executive Judge and the District Judges. They shall be appointed by the President of the Philippines; *Provided, however,* That the incumbent Executive Judge and District Judges at the time of the effectivity of this Decree shall continue as Judges without need of new appointments. Upon the effectivity of this Decree, the said Executive Judge shall continue to exercise the administrative functions over the Courts of Agrarian Relations except as otherwise herein provided.

In the event that the Executive Judge is incapacitated to discharge his duties, temporarily or otherwise, the Chief Justice shall designate an Acting Executive Judge from among the District Judges of the Courts of Agrarian Relations.

SEC. 4. *Qualifications of Judges; Tenure of Office; Compensation.* - No person shall be appointed as Executive Judge or Regional District Judge of the Courts of Agrarian Relations unless he (a) is a natural born citizen of the Philippines; (b) has practiced law in the Philippines for a period of not less than ten (10) years or has held during a like period an office requiring admission to the practice of law as an indispensable requisite; and (c) has had at least four (4) years of experience and background in agrarian relations law or agrarian reform before, during or after such period of

practice or tenure of office: *Provided, however,* That in exceptionally meritorious cases, his qualification may be dispensed with.

Judges of the Courts of Agrarian Relations shall serve during good behavior, until they reach the age of sixty-five (65) years or become incapacitated to discharge the duties of their office, unless sooner removed from office in accordance with law.

Judges of the Courts of Agrarian Relations shall receive the same compensation as Judges of the Courts of First Instance. The Executive Judge shall receive such additional compensation and emoluments as may be authorized by the Supreme Court.

SEC. 5. *Retirement and Leave Privileges; Traveling Expenses.* - Judges of the Courts of Agrarian Relations shall be entitled to the same retirement and leave privileges now granted or that may hereafter be granted to Judges of the Courts of First Instance. They shall be entitled to traveling expenses as provided for by law.

SEC. 6. *Assignment of Judges to Vacation Duty.* - The assignment of Judges of the Courts of Agrarian Relations to vacation duty shall be made by the Chief Justice in consultation with the Executive Judge.

SEC. 7. *Oath of Office.* - Before entering upon the discharge of the duties of his office, every Judge shall take and subscribe to an oath of office as prescribed by the Supreme Court, and shall submit to the latter a sworn statement to the effect that all applicable agrarian laws have been observed on his lands, if any, and in those of his wife and minor children.

SEC. 8. *Division of Business Among Branches.* - Responsibility for official business appertaining to the Courts of Agrarian Relations of each Regional District, where there are two or more Branches, shall be equitably distributed among the Branches as may be agreed upon by the Judges themselves. Should the Judges fail to agree, then the Executive Judge shall make the proper distribution.

SEC. 9. *Period for Resolution and/or Decision; Certification.* - Every Judge of the Courts of Agrarian Relations shall resolve, within a period of fifteen (15) days from submission by the parties, all petitions, incidents and motions, and decide all cases submitted for decision within a period of thirty (30) days. He shall, at the end of each month, so certify in writing his compliance with the foregoing, and no leave shall be granted and no salary shall be paid without such certificate.

For cases pending decision at the time this Decree takes effect, the period shall be counted from the completion and submission of the transcript of stenographic notes. The stenographers concerned shall submit said transcript not later than thirty (30) days from the effectivity of this Decree.

SEC. 10. *Time and Place of Holding Court.* - Sessions of the Courts of Agrarian Relations shall be held on all working days when there are cases ready for trial or incidents set for hearing. The Judge shall extend the sessions whenever necessary. The hours for the daily business of the Courts shall be from eight o'clock in the morning to twelve o'clock noon and from one to five o'clock in the afternoon.

Sessions of the Courts of Agrarian Relations shall be held at the official stations of the respective Branches: *Provided, however,* that whenever necessary in the interest of just, expeditious and inexpensive administration of justice, a Judge shall hold court in any appropriate place in the municipality, where the subject matter of the dispute is located, preferably in the barrio or barangay center.

SEC. 11. *Detail of Judges.* - Whenever the condition of the docket of any Branch within any District requires the assistance of an additional Judge or Judges, or when there is any vacancy therein, the Executive Judge may assign any Judge of that District whose docket permits his temporary absence from his Court, to hold sessions in the Branch needing such assistance or where the vacancy exists.

Any Judge may be detailed outside his District by the Chief Justice upon consultation with the Executive Judge.

Whenever a Judge of any Branch of the Courts of Agrarian Relations is assigned, transferred or detailed to another Branch or District or to another court of equal rank or jurisdiction without having decided a case totally heard by him and which was duly argued or in which opportunity for argument was given to the parties or their counsel, he shall prepare and sign his decision in said case anywhere within the Philippines and send the same by registered mail to the clerk of court to be filed in the proper Branch as of the date when the same was received by the clerk, which shall to all legal intents and purposes have the same effect as if the Judge were present in the court to direct the filing of the judgment: *Provided, however,* That if a case has been heard only in part, the Chief Justice, upon petition of any of the interested parties to the case, may authorize the Judge who has partly heard the case to continue hearing and to decide said case notwithstanding his assignment to another Branch or District, under such conditions as the Chief Justice may specify.

SEC. 12. *Jurisdiction over Subject Matter.* - The Courts of Agrarian Relations shall have original and exclusive jurisdiction over:

(a) Cases involving the rights and obligations of persons in the cultivation and use of agricultural land except those cognizable by the National Labor Relations Commission; *Provided,* That no case involving the determination of rentals over any kind of tenanted agricultural land shall be taken cognizance of by the Courts of Agrarian Relations unless there has been a prior fixing of provision rental by the Department of Agrarian Reform, except that the tenant-farmer may directly bring the case for immediate determination by the Courts of Agrarian Relations;

(b) Questions involving rights granted and obligations imposed by laws, Presidential Decrees, Orders, Instructions, Rules and Regulations issued and promulgated in relation to the agrarian

reform program; *Provided, however,* That matters involving the administrative implementation of the transfer of the land to the tenant-farmer under Presidential Decree No. 27 and amendatory and related decrees, orders, instructions, rules and regulations, shall be exclusively cognizable by the Secretary of Agrarian Reform, namely:

(1) classification and identification of landholdings;

(2) identification of tenant-farmers and landowners, and determination of their tenancy relationship;

(3) parcellary mapping;

(4) determination of the total production and value of the land to be transferred to the tenant-farmer;

(5) issuance, recall or cancellation of certificates of land transfer in cases outside the purview of Presidential Decree No. 816;

(6) right of retention of the landowner;

(7) right of the tenant-farmer to a home lot;

(8) disposition of the excess area in the tenant's farmholding;

(9) change of crop from rice and/or corn to any other agricultural crop;

(10) issuance of certification for the conversion of tenanted rice and/or corn land for residential, commercial, industrial, or other urban purposes, it being understood that the authority to issue certificates for conversion of other kinds of tenanted agricultural land for the same purposes remains vested in the Secretary of Agrarian Reform;

(11) transfer, surrender or abandonment by the tenant-farmer of his farmholding and its disposition; and

(12) increase of tillage area by a tenant-farmer;

Provided, further, That the decision of the Secretary of Agrarian Reform may be appealed to the President of the Philippines.

(c) Cases involving the collection of amortizations on payments for lands acquired under Presidential Decree No. 27, as amended, Commonwealth Act Numbered twenty, as amended, Commonwealth Act Numbered five hundred thirty-nine, as amended, Republic Act Numbered eleven hundred and sixty, as amended, Republic Act Numbered fourteen hundred, as amended, Republic Act Numbered thirty-eight hundred and forty-four, as amended, and other related laws, decrees, orders, instructions, rules and regulations, as well as payment for residential, commercial and industrial lots within the settlement and resettlement areas under the administration and disposition of the Department of Agrarian Reform;

(d) Cases involving collection of amortizations on payments for farm machineries and implements distributed and sold by the Department of Agrarian Reform and the Land Bank of the Philippines to tenant-farmers, agricultural lessees, settlers, owner-cultivators, amortizing owner-cultivators, the Samahang Nayon, compact farms, farmers' cooperatives, and other registered farmers' associations or organizations, as well as payment for indebtedness of settlers by reason of the assistance given them by the Department of Agrarian Reform in the form of seeds, work animals, houses, subsistence, transportation, medicines, farm implements, tools, and the like;

(e) Cases involving collection of amortizations on payments for irrigation systems and/or water rights grants, as well as irrigation fees, charge and/or rentals;

(f) Cases involving collection of rentals on agricultural lands leased by the Department of Agrarian Reform or Land Bank and collection of agricultural loans granted to tenant-farmers, agricultural lessees, settlers, owner-cultivators, amortizing owner-cultivators,

the Samahang Nayon, compact farms, farmers' cooperatives and other registered farmer associations or organizations;

(g) Cases involving the annulment or rescission of lease contracts and deeds of sale, and the cancellation or amendment of titles pertaining to agricultural lands under the administration and disposition of the Department of Agrarian Reform and the Land Bank, as well as emancipation patents issued under Presidential Decree No. 266, homestead patents, free patents, and miscellaneous sales patents to settlers in settlement and resettlement areas under the administration and disposition of the Department of Agrarian Reform;

(h) Cases involving boundary disputes over lands under the administration and disposition of the Department of Agrarian Reform and the Land Bank, which are transferred, distributed and/or sold to tenant-beneficiaries and are covered by deeds of sale, patents and certificates of titles;

(i) Cases arising out of, or in connection with, membership in the Samahang Nayon, compact farms, farmers' cooperatives and other registered farmers' associations or organizations, and the rights and obligations arising from such membership;

(j) Cases arising directly or indirectly between corporations or partnerships covered by General Order No. 47 and tenant-farmers, agricultural lessees, settlers, owner-cultivators, amortizing owner-cultivators, the Samahang Nayon, compact farms, farmers' cooperatives, and other registered farmers' associations or organizations, and between such corporation or partnerships and other corporations, partnerships, associations or single proprietorships where the question involved affects the rights and interests of the persons herein mentioned;

(k) Cases involving the determination of title to agricultural lands where this issue is raised in an agrarian dispute by any of the parties or a third person in connection with the possession thereof for the purpose of preserving the tenure of the agricultural lessee

or actual tenant-farmer and effecting the ouster of the interloper or intruder in one and the same proceeding;

(l) Cases involving the sale, alienation, mortgage foreclosure, pre-emption and redemption of tenanted agricultural land;

(m) Cases involving expropriation of all kinds of land in furtherance of the agrarian reform program;

(n) Expropriation proceedings for public purpose of all kinds of tenanted agricultural land, whether instituted by the State, its political subdivisions and instrumentalities, or corporations and entities authorized by laws to expropriate;

(o) Cases involving acquisition by the Department of Agrarian Reform of irrigation systems and/or water rights grants for the benefit of tenant-farmers, agricultural lessees, settlers, owner-cultivators, amortizing owner-cultivators, the Samahang Nasyon, compact farms, farmers' cooperatives, and other registered farmers' associations or organizations, the Department of Agrarian Reform being hereby vested with the authority to construct irrigation systems and apply for water rights grants for the purpose herein provided;

(p) Ejectment proceedings instituted by the Department of Agrarian Reform and the Land Bank involving lands under their administration and disposition, except urban properties belonging to the Land Bank;

(q) Cases involving violations of the penal provisions of Republic Act Numbered eleven hundred and ninety-nine, as amended, Republic Act Numbered thirty eight hundred and forty-four, as amended, Presidential Decrees and laws relating to agrarian reform; Provided, however, That violations of the said penal provisions committed by any Judge shall be tried by the courts of general jurisdiction; and

(r) Violations of Presidential Decrees Nos. 815 and 816.

No tenant-farmer in agricultural lands primarily devoted to rice and/or corn shall be ejected or removed from his farmholding until such time as the respective rights of the tenant-farmer and the landowner shall have been determined in accordance with the rules and regulations implementing Presidential Decree No. 27.

No Judge of the Courts of Agrarian Relations, Courts of First Instance, municipal or city courts, or any other tribunal or fiscal shall take cognizance of any ejection case or any other case designed to harass or remove a tenant of an agricultural land primarily devoted to rice and/or corn, unless certified by the Secretary of Agrarian Reform as a proper case for trial or hearing by a court or Judge or other officer of competent jurisdiction, and if any such case is filed, the case shall first be referred to the Secretary of Agrarian Reform or his authorized representative in the locality for a preliminary determination of the relationship between the contending parties. If the Secretary of Agrarian Reform or his authorized representative in the locality finds that the case is a proper case for the Court or Judge or other hearing office to hear, he shall so certify and such court, Judge or other hearing officer may assume jurisdiction over the dispute or controversy.

The preliminary determination of the relationships between the contending parties by the Secretary of Agrarian Reform or his authorized representative, is not binding upon the court, Judge or hearing officer to whom the case is certified as a proper case for trial. Said court, Judge or hearing officer, after hearing, may confirm, reverse or modify said preliminary determination as the evidence and substantial merits of the case may warrant.

SEC. 13. *Territorial Jurisdiction: Venue of Action.* - All actions except criminal cases falling within the jurisdiction of the Courts of Agrarian Relations shall be commenced by a written complaint filed with the office of the clerk of court of the Branch within whose territorial jurisdiction the land directly involved is situated.

Every Branch shall have territorial jurisdiction over all cases directly involving lands within the entire Regional District where its official station is located.

Where a party questions the territorial jurisdiction of a Branch, said Branch shall forthwith determine whether the land directly involved in the proceeding is within its territorial jurisdiction. Upon finding the contrary, the said Branch shall promptly forward the case to the Branch within whose territorial jurisdiction the land subject matter or the case is located.

Where the land directly involved straddles two or more Regional Districts, the Branch in any of the said Districts where the case is first instituted, shall have exclusive territorial jurisdiction.

If there be any conflict of territorial jurisdiction between Courts of two or more Regional Districts, the Supreme Court shall resolve such conflict administratively.

Where the land involved is located within a Regional District, but the case is filed in a Branch in another Regional District, and none of the parties objects, that Branch shall proceed to hear the case and decide it on the merits. Where any of the parties objects, but the Branch is of the opinion that it has territorial jurisdiction, it shall likewise proceed to hear the case and decide it on the merits. If on appeal the appellate court finds that the Branch had no territorial jurisdiction over the case, it shall nevertheless decide the appeal on the merits.

Where the question of territorial jurisdiction is not raised in the Courts of Agrarian Relations, all parties are estopped from raising the issue on appeal or in any other proceeding.

Any problem of territorial jurisdiction not covered by the foregoing provisions shall be governed by rules to be promulgated by the Supreme Court.

In the cases covered by paragraph (f), (i) and (j) of the preceding section, where one of the parties involved is a tenant-farmer, agricultural lessee, settler, owner-cultivator or amortizing owner-cultivator, the action shall be commenced and tried in the Regional District where the farmholding of such party is located. Where the action is between parties other than those enumerated, the action shall be commenced and tried in the regional District where the main office of the Samahang Nasyon, compact farm, farmers' cooperative or registered farmers' association or organization is located. Where the action is between a corporation or partnership covered by General Order No. 47, and any other corporation, partnership, association or single proprietorship, the action shall be commenced and tried in the Regional District where the main office of any of the parties is located.

SEC. 14. *Powers of Courts of Agrarian Relations.* - Every Court of Agrarian Relations shall have all the powers and prerogatives inherent in or belonging to the Courts of First Instance, including the following:

(a) To punish for direct and indirect contempt;

(b) To preserve and enforce order in its immediate presence;

(c) To enforce order in proceedings before it, or before a person or persons empowered to conduct a judicial investigation under its authority;

(d) To compel obedience to its judgments, orders and processes, and to the lawful orders of Judge out of court, in a case pending therein;

(e) To control, in furtherance of justice, the conduct of its ministerial officers, and of all other persons in any manner connected with a case before it, in every manner appertaining thereto;

(f) To compel the attendance of persons testify in a case pending therein;

(g) To administer or cause to be administered oaths in a case pending therein, and in all other cases where it may be necessary in the exercise of its powers;

(h) To amend and control its processes and orders so as to make them conformable to law and justice;

(i) To authorize a copy of a lost or destroyed pleading or other paper to be filed and used instead of the original, and to restore, and supply deficiencies in its records and proceedings;

(j) To require the assistance of all agencies and offices of the Government in the performance of its duties without additional compensation; and

(k) To allow duly authorized leaders of duly registered farmers' organizations to appear as counsel for their respective members and/or organizations, subject to the basic duties and obligations of officers of the court. Upon appeal, however, the parties shall be represented by members of the Bar only.

Courts of Agrarian Relations may employ all auxiliary writs, processes and other means necessary to carry their jurisdiction into effect.

All writs and processes issued by the Courts of Agrarian relations shall be served and executed free of charge by provincial or city sheriffs, or by any person authorized by the said Courts, in the same manner as writs and processes of Courts of First Instance.

SEC. 15. *Disqualification of Judges.* - No Judge of the Courts of Agrarian Relations shall sit in any case in which he, or his wife or child, is pecuniarily interested as heir, legatee, creditor or otherwise, or in which he is related to either party within the sixth degree of consanguinity or affinity, or to counsel within the fourth degree, computed according to the rules of the civil law, or in which he has been executor, administrator, guardian, trustee or counsel, without

the written consent of all parties in interest, signed by them and entered upon the record.

SEC. 16. *Rules of Procedure.* - The Courts of Agrarian Relation shall adopt uniform rules of procedure on matters not provided for in this Decree in order to achieve a just, expeditious and inexpensive determination of every action or proceeding filed before them. The rules of Court shall not be applicable to agrarian cases, even in a suppletory character. It is the spirit and intention of this Decree that the Courts of Agrarian Relations shall utilize and employ every and all reasonable means to ascertain the facts of every case in accordance with justice and equity and the merits of the case, without regard to technicalities of law and procedure. To this end, each Court of Agrarian Relations shall have the authority to adopt any appropriate measure or procedure in any situation or matter not provided for or covered by this Decree and in the uniform rules of procedure of the Courts of Agrarian Relations. All such special measures or procedures, and the situations to which they are applied shall be reported to the Supreme Court by the individual Judges through the Executive Judge who shall furnish copies of such reports to all the other Judges.

Where there is doubt in the application of uniform rules or in the construction and interpretation of this Decree or of any contract between the parties, the doubt shall be resolved in favor of the tenant-farmers, agricultural lessees, settlers, owner-cultivators, amortizing owner-cultivators, the Samahang Nayon, compact farms, farmers' cooperatives and other registered farmers' associations or organizations.

In criminal and expropriation cases the Rules of Court shall apply.

In the hearing, investigation and determination of any question or controversy, affidavits and counter-affidavits may be allowed and are admissible in evidence.

Direct testimonies of witnesses shall be in narrative form subject to cross examination.

In cases where the tenurial status of a person is in issue, the Court of Agrarian Relations shall not issue an order restraining the actual tiller from cultivating the land, or impounding the harvest without providing him with at least fifty percent of the net harvest.

Should the impounding of the harvest be at the instance of the landholder, he shall file a cash bond to be fixed by the Court, to answer for such damages as may be suffered by the tiller who is found to be a lawful tenant. In case of the malicious denial of the tenancy relationship by the landholder, he shall be subject to the payment of exemplary damages equivalent to at least the value of the harvest impounded.

Where a party is a tenant-farmer, agricultural lessee or tiller, settler, or amortizing owner-cultivator, he shall be entitled to the rights of a pauper and/or indigent litigant and the privileges of an indigent litigant under Republic Act Numbered sixty hundred and thirty-five without further proof thereof. He shall continue to enjoy such status as pauper and/or indigent litigant in the appellate courts and until the case is finally disposed of.

An agricultural tiller, tenant or lessee who has been allowed to litigate as a pauper and/or indigent litigant shall be entitled to the issuance of a duly certified copy of the transcript of stenographic notes of the hearing, which shall be given to him free of charge. Any undue delay in the transcription of the stenographic notes or in the issuance of a duly certified copy of said transcript in favor of said party and any charging of fees against him in connection therewith shall be dealt with administratively.

SEC. 17. Pleadings; Hearings; Limitation on Postponements. - The defendant shall file his answer to the complaint (not a motion to dismiss), within a non-extendible period of ten (10) days from service of summons, and the plaintiff shall file his answer to the counterclaim, if there be any, within a non-extendible period of five

(5) days. There shall be no declaration of default for failure to file the answer within the period herein provided. Immediately upon receipt of the last pleading completing the joinder of issues, or the expiration of the period for filing the same, the Court shall set the case for hearing. On the date of hearing but before actually receiving evidence on the case, the Court shall endeavor to settle the case amicably, *Provided*, That in no case shall any amicable settlement work out to give the agricultural lessee or tenant less rights, benefits or advantage than the law grants him; and, *Provided, further*, That a judgment approving such amicable settlement shall not be executory until after fifteen (15) days from notice. If an agreement as to the whole or any part of the case is arrived at, the same shall be reduced to writing, signed and acknowledged by the parties and counsels, if present, before the Judge which shall be the basis of a decision. Where no such agreement is effected, the Court shall proceed with the trial, which shall be continuous until terminated. The absence of counsel of any or both the parties shall not be a ground for postponement or continuance, provided they were duly notified. No motion to dismiss shall be entertained at any stage of the proceedings.

No order of the Courts of Agrarian Relations on any issue, question, matter or incident raised before them shall be contested in any action or proceeding before the appellate courts until the hearing shall have been terminated and the case decided on the merits.

SEC. 18. *Appeals.* - An appeal may be taken to the Court of Appeals by giving an oral or written notice of appeal with the trial court within the period of fifteen (15) days from notice of order or decision. A copy of the written notice of appeal shall be served within the same period upon the adverse party. In case the notice of appeal is orally made, the clerk of court shall reduce the same to writing, which shall be signed by the appellant and a copy thereof served within the same period by the clerk of court to the adverse party.

In case a motion for reconsideration is filed within that period of fifteen (15) days, the notice of appeal shall be filed within

ten (10) days from notice of the resolution denying the motion for reconsideration. Only one motion for reconsideration shall be allowed a party.

The Court of Appeals shall affirm the decision or order or the portions thereof appealed from if the findings of fact in the said decision or order are supported by substantial evidence as basis thereof, and the conclusions stated therein are not clearly against the law and jurisprudence. The Court of Appeals shall not be precluded from taking into consideration any issue, question or incident, even if not raised, if resolution thereof is necessary for a complete and just disposition of the case.

The Court of Agrarian Relations shall forward to the Court of Appeals the complete records of the case within a non-extendible period of fifteen (15) days from receipt of a notice of appeal, if no motions for reconsideration are filed. In the event that motions for reconsideration are filed, the records shall be forwarded to the appellate court within a like period from receipt by the party concerned of denial of the last motion for reconsideration.

Appeal shall not stay the decision or order except where the ejection of a tenant-farmer, agricultural lessee or tiller, settler, or amortizing owner-cultivator is directed.

Upon receipt of the records of the case from the Court of Agrarian Relations, the Court of Appeals may, if it deems necessary, require the parties to file simultaneous memoranda within a non-extendible period of fifteen (15) days from notice; the appellate court shall decide the case within thirty (30) days from receipt of said records or memoranda.

No motion for rehearing or reconsideration shall be allowed in the Court of Appeals.

All cases of the Courts of Agrarian Relations now pending before the Court of Appeals shall remain in the Division to which they have been assigned, and shall be within sixty (60) days from

the effectivity of this Decree: *Provided, however,* That if the decision or order be an affirmance in toto of the dispositive conclusion of the judgment appealed from, then the Court of Appeals may, instead of rendering an extended opinion, indicate clearly the trial court's findings of fact and pronouncements of law which have been adopted as basis for the affirmance.

Upon the effectivity of this Decree, the Court of Appeals shall designate at least two (2) of its Divisions to which all appealed agrarian cases shall be assigned, and these cases shall have priority over other cases.

The decisions or orders of the Court of Appeals may be appealed to the Supreme Court by petition for review on certiorari only on questions of law, within a non-extendible period of thirty (30) days from receipt by the appellant of a copy of the decision or order.

SEC. 19. *Exercise by the Supreme Court of its Rulemaking Power.* - In order to achieve a just, expeditious and inexpensive disposition of agrarian cases, the Supreme Court, in the exercise of its rule-making power, may supplement, modify, alter and/or amend the rules of practice and procedure herein provided, as well as such additional rules of practice and procedure as may be promulgated by the Courts of Agrarian Relations.

SEC. 20. *Monthly Report.* - Every Court of Agrarian Relations shall submit to the Supreme Court within the first ten days of each month a brief report for the previous month, showing the number and nature of cases filed and tried, the places of hearing, and the status of each case.

A copy of the report shall be furnished the Executive judge with copies of the decisions rendered and orders issued during the month. Such decisions and orders shall be complied by the Executive Judge, and the decisions and orders in important cases shall be reported by him in appropriate form, furnishing the Supreme Court, the Court

of Appeals and the Department of Agrarian Reform, copies thereof together with their syllabi.

SEC. 21. *Courtrooms, Offices and Facilities.* - The courtrooms and offices of the Courts of Agrarian Relations in the provinces shall be provided by the respective provincial government; *Provided, however,* That where a Court is stationed within a city the expenses therefor shall be shared equally between the provincial and city governments. The Courtrooms and offices shall be located, whenever possible, in the same buildings as the Courts of First Instance. Expenses for the maintenance, equipment, supplies, servicing, repair and alteration thereof shall be borne by the national government.

SEC. 22. *Administrative Provisions.* - Until otherwise provided by the Supreme Court each Branch shall have a personnel complement composed of one (1) clerk of court and ex-officio sheriff, one (1) deputy clerk of court, one (1) legal researcher, four (4) court stenographers, one (1) interpreter, two (2) clerks, one (1) deputy sheriff, one (1) bailiff, one (1) janitor, one (1) driver, and two (2) security guards. The personnel complement of the Central Office of the Courts shall be composed of (A) Office of the Executive Judge — One (1) private secretary, one (1) executive assistant, one (1) clerk-stenographer, one (1) driver and one (1) messenger; (B) Management Staff — One (1) head of staff, one (1) assistant head of staff, two (2) management analysts, two (2) statisticians, one (1) personnel analyst, two (2) field auditors, and one (1) clerk-typist; (C) Finance Division — one (1) chief, one (1) assistant chief, and one (1) clerk; and its Budget Section — one (1) chief, one (1) budget analyst and three (3) fiscal clerks; in its Accounting Section — one (1) chief, one (1) accountant, three (3) accounting clerks, two (2) bookkeepers, three (3) clerks and two (2) typists; and in its Cash Section — one (1) cashier, two (2) cash clerks, and one (1) clerk-typist; (D) Administrative Division — one (1) chief, one (1) assistant chief, two (2) clerks and one (1) stenographer; and in its Personnel Section — one (1) chief, one (1) training officer, two (2) personnel clerks, two (2) leave clerks and one (1) clerk-typist; in its Records Section — one (1) chief, two (2) records clerks and two (2) filers; in its Property Section — one (1) chief, one (1) property clerk, two (2)

stock clerks, and two (2) laborers; in its Medical Section — one (1) physician, one (1) dentist, one (1) dental aid and one (1) nurse; and in its General Service Section — one (1) chief, one (1) chief security guard, eight (8) security guards, two (2) auto mechanics, two (2) laborers, two (2) drivers, one (1) electrician and five (5) janitors; and (E) Legal Division — one (1) chief, one (1) assistant chief, and one (1) clerk-typist; and in its Research Section — one (1) chief, eight (8) attorneys and one (1) steno-typist, in its Publication Section — one (1) chief, two (2) attorneys, two (2) steno-typist; two (2) syllabi writers, one (1) mimeograph operator and one (1) janitor; and in its Library Section — one (1) librarian, one (1) library assistant and one (1) laborer.

The positions of Commissioners are hereby abolished.

The Supreme Court is hereby vested with authority to convert, consolidate, merge or abolish such offices, services, divisions, staff units and positions in the Courts of Agrarian Relations, provide for or modify staffing patterns and salary scales, and create special positions to suit the particular needs of any Branch of the Courts, in order to allow them to effectively and expeditiously carry out their functions under this Decree. In the interest of the public service, the Chief Justice may, upon recommendation of the Judge of the Court of Agrarian Relations concerned, authorize the substitution of other positions in lieu of those provided herein.

The salaries of officials and employees in the Central Office and in the Branches of the Court shall be determined by the Supreme Court.

All officials and employees of the Central Office and the Branches of the Court shall be appointed by the Chief Justice in accordance with civil service laws, rules and regulations.

The present officials and employees of the Courts of Agrarian Relations shall continue in office. However, unless reappointed within a period of six (6) months from the effectivity of this Decree, they shall be considered separated from the service as of the end of

that period, and shall be paid a gratuity at the rate equivalent to one month's salary for every year of service rendered in the government based on the highest salary received and such other benefits to which they may be entitled; *Provided*, That if said officials and employees are eligible for retirement under any retirement law; they shall have the option to retire and receive the gratuity or pension under such law, payable from the appropriations of the Courts including balances of certifications to accounts payable which have not been reverted to surplus, any provision of law, decree, rule or regulation to the contrary notwithstanding.

SEC. 23. *Appropriations*. - The appropriations of the Courts of Agrarian Relations authorized in Presidential Decree No. 733 and other appropriation laws and decrees are hereby made available and restructured to carry out the purposes of this Decree: *Provided*, That in case said appropriations are not sufficient for the said purposes as certified to by the Chief Justice the additional amount of Five (5) Million Pesos is hereby automatically appropriated, and shall be incorporated in subsequent appropriations laws.

SEC. 24. *Miscellaneous Provision*. - All government agencies directly or indirectly involved in the agrarian reform program shall make available to the Courts of Agrarian Relations the necessary facilities to carry out the functions of said Courts.

SEC. 25. *Separability of Provisions*. - If for any reason any section or provisions of this Decree shall be declared unconstitutional or invalid by the Supreme Court, no other provision of this Decree shall be affected thereby.

SEC. 26. *Repealing Clause*. - All decrees, laws, and orders, or provisions thereof, inconsistent with the provisions of this Decree are hereby repealed and modified accordingly. Chapter IX of Republic Act numbered thirty-eight hundred and forty-four, as amended, is hereby repealed.

SEC. 27. *Effectivity*. - This Decree shall take effect immediately.

Done in the City of Manila, 17th day of June, in the year of Our Lord, nineteen hundred and seventy-six.

(Sgd.) FERDINAND E. MARCOS
President of the Philippines

By the President:

(Sgd.) JACOBO CLAVE
Presidential Executive Assistant

PD 946 repealed RA 3844 (Chap. IX).

PD 946 (sec. 12) was repealed or amended by RA 6657.

MALACAÑANG
Manila

PRESIDENTIAL DECREE NO. 980

**CONVERTING THE BUREAU OF FARM MANAGEMENT OF THE
DEPARTMENT OF AGRARIAN REFORM INTO A BUREAU
OF LAND TENURE IMPROVEMENT**

WHEREAS, the Department of Agrarian Reform has been created and mandated by law to implement state policies and decrees of agrarian reform;

WHEREAS, agrarian reform has been made the cornerstone of reforms in the New Society, and under Presidential Decree Nos. 2 and 27, the government was set into motion to overhaul the system of land tenure in order to fully emancipate the tenant-farmers from their bondage;

WHEREAS, to effectively carry this out, there is a need to increase the capability of the Department of Agrarian Reform in developing and implementing plans and programs on the various aspects of land tenure improvement; and

WHEREAS, the implementation of Presidential Decree No. 27 has spawned complex problems the solutions of which would require greater concentration of efforts and resources. This can be achieved by reorienting the functions of the Department's personnel at the field level.

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by the Constitution, do hereby order and decree:

SECTION 1. Creation of the Bureau of Land Tenure Improvement. –The Bureau of Farm Management in the Department of Agrarian Reform is hereby converted into the Bureau of Land

Tenure Improvement, to be headed by a Director who may be assisted by an Assistant Director.

SEC. 2. *Functions.* –The Bureau shall be responsible for providing staff services for the development of policies, plans and programs, and standard operating procedures on land-tiller-landowner identification, tenurial security and leasehold arrangements, land transactions leading to the transfer of land ownership to tenant-farmers including related records, land valuation and landowners compensation, land tenure research, and joint projects with other government offices and private institutions to be established in tenanted areas and landed estates that will improve land tenure and land use; for establishing and operating a monitoring and information system on land tenure improvement, and for performing such other functions that the Secretary may assign pertaining to land tenure improvement.

SEC. 3. *Functional Divisions.* –The Bureau shall have the following divisions:

(a) Land Transactions Division shall be responsible for developing programs for the identification and maintenance of a current inventory of tillers, landowners, landholdings including crops and production thereon; and for all transactions involving tenurial security, leasehold arrangements, land transfers and change in land use. It shall be responsible for developing standards for the valuation of lands acquired by the government under the agrarian reform program and the payment of the landowners thereof. It shall establish and operate a monitoring and information system on land tenure improvement.

(b) Land Tenure Research and Projects Division which shall be responsible for preparing research designs on land tenure improvement and the development of joint projects with other government offices and private institutions in tenanted areas and landed estates that will improve land tenure and land use.

SEC. 4. *Transfer of Personnel and Appropriations.* –The personnel, appropriations, records, equipment and property of the converted Bureau of Farm Management shall be transferred to the Bureau of Land Tenure Improvement.

SEC. 5. *Field Personnel of the Department.* –The field personnel of the Department of Agrarian Reform particularly those assigned to the Agrarian Reform Project Teams, shall now be reoriented towards assuming primary responsibility for implementing agrarian reform programs, particularly the policies, plans and programs on land-tiller-landowner identification, tenurial security and leasehold arrangements, land transactions leading to the transfer of land ownership to tenant-farmers including related records, land valuation and landowners' compensation, land tenure research and such other functions that the Office of the Secretary may assign pertaining to land tenure improvement: *Provided,* That in order not to disrupt the on-going process of the integrated approach to agrarian reform field implementation, the Agrarian Reform Project Teams shall continue to undertake functions and activities pertaining and related to project identification and formulation; organization of compact and/or integrated farms; and the establishment of cooperative-cultivatorship schemes: *Provided, further,* That in order to avoid duplication of functions with the Department of Agriculture, the Department of Agrarian Reform shall not undertake agricultural, home and youth development extension activities: *Provided, furthermore,* That the Department of Agriculture shall assume primary responsibility for providing the necessary agricultural extension services in agrarian reform areas: *Provided, finally,* That in the agrarian reform areas agricultural extension workers shall be assigned to specific areas of coverage in consultation with the Department of Agrarian Reform.

SEC. 6. *Repealing Clause.* –All laws, rules and regulations which are inconsistent with this decree are hereby repealed or modified accordingly.

Done in the City of Manila, on this 18th day of August, in the year of Our Lord, nineteen hundred and seventy-six.

(Sgd.) FERDINAND E. MARCOS
President of the Philippines

By the President:

(Sgd.) JACOBO C. CLAVE
Presidential Executive Assistant

MALACAÑANG
MANILA

PRESIDENTIAL DECREE NO. 1038

**STRENGTHENING THE SECURITY OF TENURE OF
TENANT-TILLERS IN NON-RICE/CORN PRODUCING PRIVATE
AGRICULTURAL LANDS**

WHEREAS, I have received disturbing reports that owners of private agricultural lands, landholders, agricultural lessors, legal possessors, civil law lessees, usufructuaries, or those acting for and in their behalf planted to crops other than rice and/or corn, including but not limited to those primarily planted to abaca, banana, coconut, coffee, citrus, durian and other similar permanent trees, are harassing or ejecting or removing or ousting or excluding the tenant-tillers from their farmholdings in spite of the fact that existing laws, particularly Republic Acts Nos. 1199, as amended, and 3844, as amended, protect the security of tenure of these tenant-tillers;

WHEREAS, these acts of the landowners are a threat to the peace and order condition in the rural areas; and

WHEREAS, the tenant-tillers in such lands deserve the utmost attention and assistance of the government to strengthen their tenurial security by imposing stiffer penalties for violation of such security of tenure.

NOW, THEREFORE, I, FERDINAND E. MARCOS President of the Philippines, by virtue of the powers in me vested by the Constitution, do hereby order and decree:

SECTION 1. The tenure of the tenant-tillers in private agricultural lands devoted to crops other than rice and/or corn, including but not limited to those primarily planted to abaca, banana, coconut, coffee, mango, durian, and other permanent fees, shall be secured and no tenant-tiller shall be removed, ejected,

ousted or excluded from his farmholding unless for causes provided by law and directed by a final decision or order of the court.

SEC. 2. No judge of the courts of agrarian relations, courts of first instance, city or municipal courts or any other tribunal or fiscal shall take cognizance of any ejectment case or any other case designed to harass or remove a tenant of an agricultural land primarily devoted to rice and/or corn, unless certified by the Secretary of Agrarian Reform as a proper case for trial or hearing by a court of judge or other officer of competent jurisdiction and, if any such case is filed, the case shall first be referred to the Secretary of Agrarian Reform or his authorized representative in the locality for a preliminary determination of the relationship between the contending parties. If the Secretary of agrarian Reform or his authorized representative in the locality finds that the case is a proper case for the court or judge or other hearing officer to hear, he shall so certify and such court, judge or other hearing officer may assume jurisdiction over the dispute or controversy.

The preliminary determination of the relationship between the contending parties by the Secretary of Agrarian Reform, or his authorized representative, is not binding upon the court, judge or hearing officer to whom the case is certified as a proper case for trial. Said court judge or hearing officer may, after due hearing, confirm, reverse or modify said preliminary determination as the evidence and substantial merits of the case may warrant.

SEC. 3. All cases still pending before any court, fiscal or other investigating body which are not yet submitted for decision or resolution shall likewise be referred to the Department of Agrarian Reform for certification as provided in the preceding section.

SEC. 4. The penalty of *arresto major* or a fine of P1,000 or both at the discretion of the court shall be imposed upon:

- (a) Any judge or fiscal or other hearing officer who shall take cognizance of any case designed to exclude, oust, eject, or

remove any tenant-tiller or who shall order the ejectment, ouster, exclusion or removal of any tenant-tiller on the land tilled by him without first complying with the provisions of Section 2 hereof;

(b) Any officer or employee of the government, including members of the Armed Forces of the Philippines, who executes an order for the ouster, removal, exclusion or ejectment of the tenant-tiller knowing that the said order is unlawful as provided in Section 2 hereof; and

(c) Any landowners, landholders, agricultural lessor or anybody acting for and in their behalf who by any act, scheme or strategy shall eject, exclude, oust or remove and/or cause the ejectment, exclusion, ouster or removal of the tenant-tiller from his farmholding in contravention of this Decree.

SEC. 5. Cases involving violation of the penal provisions of this Decree shall exclusively be cognizable by the Courts of Agrarian Relations: *Provided, however*, That if such violation is committed by a judge of the courts of general jurisdiction.

SEC. 6. The Department of Agrarian Reform is hereby empowered to promulgate rules and regulations to implement this Decree.

SEC. 7. The Secretary of the Department of National Defense shall assist the Secretary of Agrarian Reform in the implementation of this Decree.

SEC. 8. All previous or existing laws, orders, rules and regulations or parts thereof in conflict or inconsistent herewith are hereby repealed or modified accordingly.

SEC. 9. This decree shall take effect immediately.

Done in the City of Manila, this 21st day of October, in the year of Our Lord, nineteen hundred and seventy-six.

(Sgd.) FERDINAND E. MARCOS
President of the Philippines

By the President :

(Sgd.) JUAN C. TUVERA
Presidential Assistant

MALACAÑANG
Manila

PRESIDENTIAL DECREE NO. 1039

AMENDING FURTHER SECTION EIGHTY-SIX OF REPUBLIC ACT NUMBERED THIRTY EIGHT HUNDRED AND FORTY-FOUR, AS AMENDED, ENTITLED “THE CODE OF AGRARIAN REFORMS OF THE PHILIPPINES.”

WHEREAS, the Land Bank of the Philippines was established to provide timely and adequate financial support in all phases of the implementation of the Agrarian Reform Program of the Government.

WHEREAS, one of the major phases of such program is the financing and/or guaranteeing of the acquisition of farm and home lots transferred to the tenant-farmers pursuant to Presidential Decree No. 27; and

WHEREAS, consistent with the policy on farmers’ participation and involvement in securing the benefits of agrarian reforms, the farmers should have a voice in the governing body of the Land Bank of the Philippines.

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the President, by virtue of the powers vested in me by the Constitution, do hereby decree and order:

SECTION 1. Section eighty-six of Republic Act Numbered three thousand eight hundred and forty-four, as amended by Presidential Decrees numbered two hundred fifty-one and four hundred and forty-four, is further amended to read as follows:

“SEC. 86. *The Board of Directors; membership:*

Per Diem. –The affairs and business of the Bank shall be directed and its property managed and preserved by a Board of Directors consisting of seven (7) members to be composed of the

Secretary of Finance, as Chairman, the President of the Bank as Vice-Chairman, the Secretary of Agrarian Reform and the Secretary of Labor as ex-officio members. The President of the Philippines shall appoint one (1) member of the Board who shall represent the agrarian reform beneficiaries and the two (2) remaining members shall be elected as hereinafter provided.

“Annually, on the first Tuesday after the first Monday in December, the stockholders shall meet to take up, among others, the election of two (2) members of the Board of Directors for the succeeding year. Each shareholder or proxy shall be entitled to as many votes as he may have shares of stocks registered in his name on the 31st day of October last preceding and held by him at the time of the election. The two (2) members of the Board of Directors shall be elected preferably from the holders of preferred shares on the basis of the outstanding amount of share as follows:

- (a) Not exceeding P100 million - one member
- (b) Exceeding P100 million- two members.

The appointive member of the Board shall hold a term of office for one year and shall continue to hold office until his successor shall have been appointed and qualified.

The Board shall convene as often as necessary to discharge its responsibilities properly, but shall meet at least once every two weeks. The Board may be convoked either by the Chairman or in his absence, the Vice-Chairman.

The presence of (4) members shall constitute a quorum. All decisions of the board shall require the concurrence of at least four (4) members.

No person shall be elected or appointed director of the Bank unless he is a natural born citizen of the Philippines, not less than thirty-five (35) years of age, of good moral character and has attained proficiency, expertise and recognized competence in one or

more of the following: banking, finance, economics, law, agriculture, agrarian reform, business management: *Provided, further*, that no director, shareholder or employee of any other bank shall be eligible for election or appointment as member of the Board of Directors of the Bank.

The Chairman and the members of the Board shall receive a *per diem* of two hundred fifty pesos for each session of the Board attended but in no case to exceed two thousand pesos a month.

SEC. 2. *Repealing Clause.* –All provisions of existing laws, decrees, orders, letters of instructions, rules and regulations inconsistent herewith are hereby repealed and/or modified accordingly.

SEC. 3. *Effectivity.* –This Decree shall take effect immediately.

Done in the City of Manila, this 21st day of October, in the year of Our Lord, nineteen hundred and seventy-six.

(Sgd.) FERDINAND E. MARCOS
President of the Philippines

By the President:

(Sgd.) JUAN C. TUVERA
Presidential Assistant

MALACAÑANG
Manila

PRESIDENTIAL DECREE NO. 1040

**REITERATING THE PROHIBITION AGAINST AGRICULTURAL
SHARE TENANCY IN ALL AGRICULTURAL LANDS AND
PROVIDING PENALTIES THEREFOR**

WHEREAS, under the provisions of the Code of Agrarian Reforms, agricultural share tenancy in private agricultural lands covered by Presidential Decree No. 27 with the exceptions and/or qualifications provided for therein, has been declared contrary to public policy and automatically converted into agricultural leasehold;

WHEREAS, Presidential Decree No. 2 proclaimed the whole country as a land reform area;

WHEREAS, notwithstanding such provisions in the Code of Agrarian Reforms and Presidential Decree No. 2, many landowners landholders, civil law lessees, legal possessors, usufructuaries of tenanted private agricultural lands, including persons acting for and in their behalf still insist that the cropsharing system govern the tenancy relationship between them and their tenants;

WHEREAS, the penal provisions of the Code of Agrarian Reforms are inadequate to enforce full compliance with the declared policy on leasehold, and therefore, it is imperative to strengthen said penal provisions by including therein, landholders, civil law lessees, legal possessors, usufructuaries, or persons acting for and in their behalf, and by imposing stiffer penalties;

WHEREAS, the continuation of the feudal agricultural share tenancy system adversely impedes and obstructs the implementation of the Agrarian Reform Program of the New Society.

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by the Constitution, do hereby decree and order the following:

SECTION 1. The leasehold system shall govern the relation between the landowner, landholder, civil law lessee, legal possessor, usufructuary, or any person acting for and in behalf, and the tenant-farmer in all tenanted private agricultural lands that have come under or are covered by and subject to the provisions of Presidential Decree No. 27.

SEC. 2. In all cases covered by Section 1 hereof, the existence of an actual sharing arrangement between the landowner, landholder, civil law lessee, legal possessor, usufructuary, or any person acting for and in his behalf, and his tenants shall give rise to the presumption that such landowner, landholder, civil law lessee, legal possessor, usufructuary or person has continued and maintained, or has entered into a share tenancy contract or relationship with the tenant.

SEC. 3. The landowner, landholder, civil law lessee, legal possessor, usufructuary, or any person acting for and in his behalf, shall be given one agricultural year from the promulgation of this Decree before the penal provisions hereof shall operate against him. In case the tenant is alleged to be unwilling to accept leasehold, then the landowner, landholder, civil law lessee, legal possessor, usufructuary or any person acting for and in his behalf, shall report the matter to the Department of Agrarian Reform which shall immediately give effect to the provisions of all laws governing tenancy, making them retroactive whenever necessary and proper to comply with said laws.

SEC. 4. The Department of Agrarian Reform is hereby empowered to promulgate rules and regulations to implement this Decree.

SEC. 5. The Secretary of National Defense shall assist the Secretary of Agrarian Reform in the implementation of this Decree.

SEC. 6. Any landowner, landholder, civil law lessee, legal possessor, usufructuary, or any person acting for and in behalf, who shall violate Section 1 of this Decree by continuing and maintaining the share tenancy system, or by entering into a share tenancy contract or relationship with another, as tenant, shall, upon conviction, suffer the penalty of prison mayor or a fine ranging from P5,000 to P10,000, or both, in the discretion of the court. In the case of juridical persons, the manager or the person who has charge of the management or administration of the property, or in his absence the person acting in his stead, shall be liable under this Section.

SEC. 7. Violations of the penal provision of this Decree shall exclusively be cognizable by the Courts of Agrarian Relations.

SEC. 8. All provisions of existing laws, decrees, orders, and rules and regulations inconsistent herewith are hereby repealed or modified accordingly.

SEC 9. This Decree shall take effect immediately.

Done in the City of Manila, this 21st day of October in the year of Our Lord, nineteen hundred and seventy-six.

(Sgd.) FERDINAND E. MARCOS
President of the Philippines

By the President:

(Sgd.) JUAN C. TUVERA
Presidential Assistant

PRESIDENTIAL DECREE NO. 1177

REVISING THE BUDGET PROCESS IN ORDER TO INSTITUTIONALIZE THE BUDGETARY INNOVATIONS OF THE NEW SOCIETY

WHEREAS, the national budget is a major instrument for development, requiring careful design of the preparation, legislation, execution, and accountability phases of budgeting.

WHEREAS, the experience of the years has been reflected in various improvements in the budget process, and embodied in C.A. No. 246, R.A. No. 992, and P.D. No. 999;

WHEREAS, the budget process as implemented prior to September 21, 1972 was not able to fully support national objectives and plans;

WHEREAS, national interest calls for the institutionalization of budgetary innovation realized during the New Society and developed within the context of the Constitution of 1973.

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by the Constitution, do hereby Order and Decree:

SECTION 1. *Title.* – This Decree shall be known as “Budget Reform Decree of 1977.”

SEC. 2. *Definition of Terms.* – When used in this Decree:

- a. “Budget” refers to the budget required to be prepared pursuant to Section Sixteen (1), Article VIII of the Constitution, and which is repeated in Section 13 of this Decree.
- b. “Government” means the National Government, including the Executive, the Legislative and the Judicial Branches, and the Constitutional Commissions.

- c. “Department and agency” and “department or agency” mean all departments, bureaus, offices, boards, commissions, courts, tribunals, councils, authorities, administrations, centers, institutes, state colleges and universities, and all other establishments and instrumentalities of the National Government as defined in the preceding paragraph.
- d. “Current operating expenditures” refer to appropriations for the purchase of goods and services for current consumption or within the fiscal year, including the acquisition of furniture and equipment normally used in the conduct of government operations, and for temporary construction for promotional, research and similar purposes.
- e. “Capital outlays” or “capital expenditures” refer to appropriations for the purchase of goods and services, the benefits of which extend beyond the fiscal year and which add to the assets of Government, including investments in the capital of government-owned or controlled corporations and their subsidiaries.
- f. “Expected results” mean services, products or benefits that will accrue to the public, estimated in terms of performance measures or targets.
- g. “Government-owned or controlled corporations” are corporations created by law as agencies of the State for narrow and limited purposes, either owned wholly by the State or wherein the Government is a majority stockholder, in cases of stock corporations, or otherwise, agencies so created where no stocks are issued but whose affairs are conducted by a duly constituted board and which perform proprietary functions.
- h. “Continuing appropriations” refer to appropriations available to support obligations for a specified purpose or

project, even when these obligations are incurred beyond the budget year.

- i. “Appropriation” is an authorization under past Acts of Congress, Presidential Decrees or other legislative enactment, for payments to be made with funds of the government, under specified conditions and/or for specified purposes.
- j. “Allotments” are authorizations issued by the Budget Commission to an agency, which allows it to incur obligations within a specified amount that is within a legislative appropriation.
- k. “Obligations” are amounts which are committed to be paid by government which arise from an act of a duly authorized administrative officer which binds the government to the immediate or eventual payment of a sum of money.
- l. “Program” refers to the functions and activities necessary for the performance of a major purpose for which a government entity is established.
- m. “Project” means a component of a program covering a homogeneous group of activities that result in the accomplishment of an identifiable output.
- n. “Commissioner” refers to the Commissioner of the Budget.

BUDGET POLICY AND APPROACH

SEC. 3. *Declaration of Policy.* – It is hereby declared the policy of the State to formulate and implement a National Budget that is an instrument of national development, reflective of national objectives, strategies and plans. The budget shall be supportive of and consistent with the socio-economic development plan and shall be oriented towards the achievement of explicit objectives and expected results, to ensure that funds are utilized and operations

are conducted effectively, economically and efficiently. The national budget shall be formulated within the context of a regionalized government structure and of the totality of revenues and other receipts, expenditures and borrowings of all levels of government and of the government-owned or controlled corporations. The budget shall likewise be prepared within the context of the national long-term plan and of a long-term budget program.

SEC. 4. *Planning and Budgeting Linkage.* – The budget shall be formulated as an instrument for the attainment of national development goals and as part of the planning-programming-budgeting continuum. Levels of revenue, expenditure and debt shall be established in relation to macroeconomic targets of growth, employment levels, and price level change, and shall be developed consistent with domestic and foreign debt, domestic credit and Balance of Payments objectives for the budget period. The aggregate magnitudes of the budget shall be determined in close consultation among the planning and fiscal agencies of government. Budgetary priorities shall be those specified in the approved national plans, keeping in mind the capability and performance of the implementing agencies concerned. Agency budget proposals shall explicitly state linkage to approved agency plans.

SEC. 5. *National Resource Budget.* – The finances of government shall be analyzed and determined as the aggregate of revenue, expenditure and debt of all units of government, including the national government and its agencies and instrumentalities, local government units and government-owned or controlled corporations. The national government budget shall be evolved within the framework of the total impact of government activity on the national economy. The budgets of government corporations and local governments shall be consistent in form and timing with that of the national government, to facilitate comprehensive evaluation.

SEC. 6. *Regional Budgeting.* – The budgets of national government agencies shall take into full and explicit consideration the goals, plans and requirements of their respective regional offices, in the interest of full government response to local thinking

and initiative. The budget preparation process shall originate at regional and local levels, and shall be consolidated and reviewed by the central offices of the various national agencies. The regional development strategies and plans, including physical framework and resource-use plans, shall be considered in the preparation of the budget.

SEC. 7. *Long-Term Budgeting.* – The annual budgets of the national government shall be prepared as an integral part of a long-term budget picture. The long-term economic and physical framework plans of government, multi-year requirements of approved programs and projects, organizational and personnel development strategies, and other commitments entered into or otherwise assumed by government shall be specified in the budget process.

SEC. 8. *Development Projects.* – The development process requires the implementation of major development projects of such size as to significantly affect the infrastructure program, debt ceilings, the Balance of Payments, domestic credit, and government expenditure levels. The budget process shall formally consider the timing of major national projects, in order to ensure the observance of established fiscal, monetary, international payments, and other constraints.

SEC. 9. *Performance and Financial Review.* – The analysis of agency operating performance, the evaluation of performance relative to costs incurred and the review of agency operating systems and procedures are inherent parts of the budget process. Agencies shall therefore design and implement (a) management information systems yielding both performance and financial information which will adequately monitor and control budget implementation, and (b) improvements in operating systems, procedures and practices, so as to ensure that the targets approved in budget authorization are in fact attained at minimum cost.

SEC. 10. *Compensation and Position Classification.* – The size of personnel services expenditure relative to the total budget

and the number of agencies and personnel in government call for an effective national compensation and position classification policy. The Constitutional principles of a single compensation scheme for the government and its instrumentalities is one of the bases of the government budget process.

SEC. 11. *Contingent Liabilities.* – The contingent liabilities of government shall be evaluated as part of the budget process, subject to such limits and guidelines as may be approved by the President.

BUDGET PREPARATION

SEC. 12. *Fiscal Year.* – The fiscal year for all branches, subdivisions, instrumentalities, departments, bureaus, offices and agencies of the Government of the Republic of the Philippines, including government-owned or controlled corporations and local governments shall be the period beginning with the first day of January and ending with the thirty-first day of December of each calendar year.

SEC. 13. *Submission of the Budget.* – The President shall, in accordance with section sixteen (1), Article VIII of the Constitution, submit within thirty days from the opening of each regular session of the National Assembly as the basis for the preparation of the General Appropriations Act, a national government budget of estimated receipts based on existing and proposed revenue measures, and of estimated expenditures. The President shall include in his budget submission the proposed expenditure level of the Legislative and Judicial Branches and of Constitutional bodies, which shall have undergone the same process of evaluation and which shall have been subject to the same budgetary policies and standards applicable to agencies in the Executive Branch. The President may transmit to the National Assembly, from time to time, such proposed supplemental or deficiency appropriations as are, in his judgment, (a) necessary on account of laws enacted after the transmission of the Budget, or (b) otherwise needed in the public interest.

SEC. 14. *Form and Content of the Budget.* – The budget proposal of the President shall include current operating expenditures and capital outlays. It shall comprise such funds as may be necessary for the operation of the programs, projects and activities of the various departments and agencies. The proposed General Appropriations Act and other Appropriations Acts necessary to cover the budget proposals shall be submitted to the National Assembly to accompany the President’s budget submission. The budget shall be presented to the National Assembly in such form and content as may be approved by the President and may include the following:

- a. budget message setting in brief the government’s budgetary thrusts for the budget year, including their impact on developing goals, monetary and fiscal objectives, and generally on the implications of the revenue, expenditures and debt proposals; and
- b. summary financial statements setting forth:
 - (1) estimated expenditures and proposed appropriations necessary for the support of the Government for the ensuing fiscal year, including those financed from borrowings;
 - (2) estimated receipts during the ensuing fiscal year under laws existing at the time the budget is transmitted and under the revenue proposals, if any, forming part of the year’s financing program;
 - (3) actual appropriations, expenditures, and receipts during the last completed fiscal year;
 - (4) estimated expenditures and receipts and actual or proposed appropriations during the fiscal year in progress;
 - (5) statements of the condition of the National Treasury at the end of the last completed fiscal year, the

estimated condition of the Treasury at the end of the fiscal year in progress and the estimated condition of the Treasury at the end of the ensuing fiscal year, taking into account the adoption of financial proposals contained in the budget and showing, at the same time, the unencumbered and unobligated cash resources;

- (6) essential facts regarding the bonded and other long-term obligations and indebtedness of the Government, both domestic and foreign, including identification of recipients of loan proceeds; and
- (7) such other financial statements and data as are deemed necessary or desirable in order to make known in reasonable detail the financial condition of the government.

SEC. 15. *Budget Levels.* – The ordinary income of government shall be primarily to provide appropriations for current operations, except in case of a national emergency or serious financial stress, the existence of which has been duly proclaimed by the President.

The level of aggregate revenue expenditure and debt shall be jointly recommended to the President by the Budget Commission, the Department of Finance, the National Economic and Development Authority and the Central Bank of the Philippines, acting within the Development Budget Coordination Committee of the National Economic and Development Authority.

No appropriations for current operations and capital outlays of the Government shall be proposed unless the amount involved is covered by the ordinary income, or unless it is supported by a proposal creating additional sources of funds or revenue, including those generated from domestic and foreign borrowings, sufficient to cover the same. Likewise, no appropriation for any expenditure, the amount of which is not covered by the estimated income from the existing sources of revenue or available current surplus, may be

proposed, unless it is supported by a proposal creating an additional source of funds sufficient to cover the same.

Proposals creating additional sources of funds shall be prepared in the form of revenue bills.

The provisions of this section shall not be construed as impairing in any way the power of the National Assembly to enact revenue and appropriation bills, nor the authority of the President to propose special revenue and appropriation bills after the submission of the budget.

SEC. 16. *Budget Estimates.* – Each head of department, office or agency of the National Government, including the Legislative and Judicial Branches, and including government-owned or controlled corporations, shall submit his request for appropriations to the Budget Commission in accordance with the budget calendar, format, and such rules and regulations as may be issued in implementation of this Decree.

The budget estimates of agencies shall include the following information:

- a. Objectives, functions, activities, programs and projects showing the general character and relative importance of the work to be accomplished or the services to be rendered, and the principal elements of cost involved;
- b. Linkage of the work and financial proposals to approved development plans;
- c. Estimated current operating expenditures and capital outlays, with comparative data for the preceding and current budget years;
- d. Identification by region, pursuant to policies on the regionalization of government operations;

- e. Financial sources, reflecting all revenues, proceeds of foreign and domestic borrowings, and other sources, particularly those which accrue to the General Fund;
- f. Contingent liabilities, including national government guarantees of obligations of government-owned or controlled corporations and their subsidiaries;
- g. Brief description of the major thrusts and priority programs and projects for the budget year, results expected for each budgetary program and project, the nature of work to be performed, estimated costs per unit of work measurement, including the various objects of expenditure for each project;
- h. Organization charts and staffing patterns indicating the list of existing and proposed positions with corresponding salaries, and proposals for position classification and salary changes, duly supported by adequate justification.

Consistent with the provisions of Article VIII, Section 16(3) of the Constitution, the Commissioner shall review the budget estimates as herein provided, including those of the Legislative and Judicial Branches and of the Constitutional bodies and shall submit his recommendations to the President.

SEC. 17. *Regional Budgets.* – The budgets of national government agencies shall be prepared taking into full and careful consideration the opportunities and requirements specific to the various regions of the country. Where they are organized, regional offices shall originate agency budget proposals, in accordance with approved priorities and guidelines.

Agencies which are not regionalized shall nonetheless estimate the amounts planned to be spent for each region of the country.

The Commissioner shall identify by region the expenditure programs of the national government agencies in the national government budget, and release funds to national government agencies in accordance with the approved regional distribution of expenditures, specifying the region of destination.

Departments and agencies shall sub-allot in full and without the imposition of reserves, the approved budget allocation of their various regional offices, except as may be authorized by the Commissioner, in case realignment of expenditures prove to be necessary in the course of budget execution. The Commissioner shall issue the rules and regulations needed to implement the provisions of this section.

SEC. 18. *Budget Evaluation.* – Agency proposals shall be reviewed on the basis of their own merits and not on the basis of a given percentage or peso increase or decrease from a prior year’s budget level, or other similar rule of thumb that is not based on specific justification. Proposed activities, whether new or ongoing, shall be evaluated using a zero-base approach and on the basis of (a) relationship with the approved development plan, (b) agency capability as demonstrated by past performance, (c) complementarity with related activities of other agencies, and (d) other similar criteria. The realization of savings in a given budget year and the consequent non-utilization of funds appropriated or released to a given agency shall not be a negative factor in the budget evaluation for a subsequent year.

SEC. 19. *Foreign-Assisted Projects.* – The budgetary implications of foreign-assisted projects shall be explicitly considered at the time of project design and financing negotiation. The project study shall specify the cash flow requirements of the project, among others, for (a) payment of principal and interest, (b) peso component of capital costs and project preparation, (c) infrastructure and support facilities needed to be directly financed by government, (d) operating and other expenditures which will be ultimately required for General Fund support when the project is implemented, and (e) peso requirements needed as counterpart. The concurrence

of the Budget Commission shall be obtained with respect to peso requirements and implication on expenditure ceilings.

SEC. 20. *Organizational Changes.* – The budget may reflect reorganization proposals, including the rearrangement, reassignment, and consolidation of organizational units as are approved by the President, which will simplify government procedure, localize decision-making and implementation, and otherwise facilitate government service to the public.

SEC. 21. *Coordinating Bodies.* – The budgets of coordinating agencies, councils, task forces, authorities, committees, or other similar bodies shall be limited to and used to fund only such planning, coordinating and monitoring functions as are assigned to it. Funds for implementation shall be budgeted and released to the line implementing agencies concerned: *provided*, that the budgets of coordinating bodies may include a lump-sum for purposes related to their assigned functions, which lump-sum shall be sub-allotted to implementing agencies and not used by the agency for its own operations: *provided, further*, that funds budgeted for a given agency falling within the jurisdiction of a coordinating body, may be subject to release upon approval by the coordinating agency of such release or of the agency's work program.

SEC. 22. *Budgetary Requirement of Government-Owned or Controlled Corporations.* – The internal operating budgets of government-owned or controlled corporations and of chartered institutions shall be approved by their respective governing boards in accordance with a budget calendar and format as may be approved by the President: *provided*, that such budgets shall be subject to review and approval as part of the budget process in cases where national government budgetary support is needed, in terms of (a) capital or equity inputs, (b) operating contributions to support specific activities undertaken by the institution as part of its regular functions, and (c) guarantee of the national government for obligations or contracts entered into by the corporations: *provided, further*, that the submission of interim financial statements may be required by the Commissioner.

SEC. 23. *Tax and Duty Exemptions.* – All units of government, including government-owned or controlled corporations, shall pay income taxes, customs duties and other taxes and fees as are imposed under revenue laws: *provided*, that organizations otherwise exempted by law from the payment of such taxes/duties may ask for a subsidy from the General Fund in the exact amount of taxes/duties due: *provided, further*, that a procedure shall be established by the Secretary of Finance and the Commissioner of the Budget, whereby such subsidiaries shall automatically be considered as both revenue and expenditure of the General fund.

SEC. 24. *Appropriation for Personal Services.* – Appropriations for personal services shall be considered as included in the amount specified for each budgetary program and project of each department, bureau, office or agency, and shall not be itemized. The itemization of personal services shall be prepared by the Commissioner for consideration and approval of the President as provided in Section 30 hereof: *provided*, that the itemization of personal services shall be prepared for all agencies of the Legislative, Executive and Judicial Branches and the Constitutional bodies, except as may be otherwise approved by the President for positions concerned with national security matters.

SEC. 25. *Department Approval of Proposed Appropriations.* – No legislative proposal which, if enacted, would authorize subsequent appropriations, shall be transmitted to the President by any bureau or agency, without the prior approval of the Head of the Department concerned or by the Chairman or Chief Executive Officer of a Cabinet level body which coordinates the multi-sectoral formulation and implementation of a particular program of expenditure involving one or more departments. No legislative proposal involving the appropriation of funds shall be transmitted to the National Assembly without the approval of the President.

BUDGET AUTHORIZATION

SEC. 26. *Focus on Budget Policy.* – The National Assembly shall, during the discussion of the budget, focus on policy, budgetary

levels, thrusts and strategy. Details of agency expenditures shall be considered as proper concerns of Executive Branch decision and action.

SEC. 27. *Limitation of Budget Debate.* – Within seven (7) consecutive session days for the submission of the budget, the National Assembly shall, in plenary session, start the discussion of the budget, including both expenditure and revenue proposal. Debate shall be terminated on or before the eighteenth consecutive session day from the beginning of the discussions and final action shall be taken within three (3) consecutive session days thereafter.

SEC. 28. *Prohibition Against the Increase of Appropriations.* – The National Assembly shall in no case increase the appropriation of any project or program of any department, bureau, agency or office of the Government over the amount submitted by the President in his budget proposal. In case of any reduction in the proposed appropriation for a project or program, a corresponding reduction shall be made in the total appropriation of the department, office or agency concerned and in the total of the General Appropriations Bill.

SEC. 29. *Prohibition Against Enactment of Additional Special Provisions.* – The National Assembly shall not add special provisions in the budget earmarking the use of appropriations for specific programs or activities nor shall it increase the amounts specified in special provisions, beyond those proposed by the President.

SEC. 30. *Content of the General Appropriations Act.* – The General Appropriations Act shall be presented in the form of budgetary programs and projects for each agency of the government, with the corresponding appropriations for each program and project, including statutory provisions of specific agency or general applicability. The General Appropriations Act shall not contain any itemization of personal services, which shall be prepared by the Commissioner after enactment of the General Appropriations Act, for consideration and approval of the President.

SEC. 31. *Automatic Appropriations.* – All expenditures for (a) personnel retirement premiums, government service insurance, and other similar fixed expenditures, (b) principal and interest on public debt, (c) national government guarantees of obligations which are drawn upon, are automatically appropriated: *provided*, that no obligations shall be incurred or payments made from funds thus automatically appropriated except as issued in the form of regular budgetary allotments.

SEC. 32. *Supplemental Appropriations.* – All appropriation proposals shall be included and considered in the budget preparation process. After the President shall have submitted the Budget, no supplemental appropriation measure supported from existing revenue measures shall be passed by the National Assembly. However, supplemental or deficiency appropriations involving the creation of new offices, programs or activities may be enacted if accompanied and supported by new revenue sources.

SEC. 33. *Reversion of Unexpected Balances of Appropriations, Continuing Appropriations.* – Unexpected balances of appropriations authorized in the General Appropriation Act shall revert to the unappropriated surplus of the General Fund at the end of the fiscal year and shall not thereafter be available for expenditure except by subsequent legislative enactment: *provided*, that appropriations for capital outlays shall remain valid until fully spent or reverted: *provided, further*, that continuing appropriations for such current operating expenditures may be specifically recommended and approved as such in support of projects whose effective implementation calls for multi-year expenditure commitments: *provided, finally*, that the President may authorize the use of savings realized by an agency during a given year to meet non-recurring expenditures in a subsequent year.

The balances of continuing appropriations shall be reviewed as part of the annual budget preparation process and the President may approve upon recommendation of the Commissioner, the reversion of funds no longer needed in connection with the activities funded by said continuing appropriations.

SEC. 34. – *Loan Proceeds.* Expenditures funded by foreign and domestic borrowings shall be included within the expenditure program of the agency concerned. Loan proceeds, whether in cash or in kind, shall not be used without the corresponding release of funds through a Special Budget as herein provided.

SEC. 35. *Contingent Liabilities.* – Government agencies, particularly government-owned or controlled corporations, shall periodically report to the Secretary of Finance and to the Commissioner of the Budget on the status of obligations they have entered into and which are the subject of government guarantees.

SEC. 36. *Liability for Unauthorized Printing Press Revisions.* – It shall be unlawful for any person to make any unauthorized revision of any figure, text or provision in the General Appropriations Act and in the other budget documents during or in the process of the printing. Any unauthorized change made either by addition, modification or deletion, shall be null and void.

Persons who, in violation of this section, make any unauthorized revision in the budget documents, shall be criminally liable for falsification of legislative documents under the Revised Penal Code. When the offender is a government official or employee, he shall, in addition to criminal prosecution, be dismissed from the service.

BUDGET EXECUTION

SEC. 37. *Use of Appropriated Funds.* – All moneys appropriated for functions, activities, projects and programs shall be available solely for the specific purposes for which these are appropriated.

SEC. 38. *Allotment of Appropriations.* – Authorized appropriations shall be allotted in accordance with the procedure outline hereunder:

- a. Appropriations authorized for any department, office or agency of the Government may be made available for

expenditure when the head of each department, office or agency submits to the Commissioner a request for allotment of funds showing the estimated amounts needed for each function, activity, or purpose for which the funds are to be expended, during the applicable allotment period. The form and the time of submission of the request for allotment showing the proposed quarterly allotments of the whole authorized appropriation for the department, office, or agency, shall be prescribed by the Commissioner.

- b. In the administration of the allotment system herein provided, each fiscal year shall be divided into four quarterly allotment periods beginning, respectively, on the first day of January, April, July, and October: *provided*, that in any case where the quarterly allotment period is found to be impractical or otherwise undesirable, the Commissioner may prescribe a different period suited to the circumstances.
- c. Request for allotments shall be approved by the Commissioner who shall ensure that expenditures are covered by appropriations both as to amount and purpose and who shall consider the probable needs of the department, office or agency for the remainder of the fiscal year or period for which the appropriation was made. Acting under guidelines as may be issued by the President, the Commissioner is authorized to approve amounts different from agency estimates where necessary in order to conform with the terms of the appropriation and the prospective needs of the department, office or agency. The Commissioner shall act promptly upon all requests for allotment and shall notify every department, office, or agency of its allotments at least five days before the beginning of each allotment period. The notification, which will be sufficient authority for the Chief Accountant to enter the allotment in the books, shall include an explanation for any change or modification in the request of the head of the department, office or agency.

- d. At the end of every quarter, each department, office or agency shall report to the Commissioner the current status of its appropriations, the cumulative allotments, obligations incurred/liquidated, total disbursements, and unliquidated obligations, unobligated and unexpected balances, and the results of expanded appropriations. Such department, office, or agency may initiate or request for a change in allotments in order to adjust to altered conditions, subject to such rules and regulations as may be issued by the Commissioner.
- e. Releases of funds appropriated for a given agency may be made to its Regional Offices where dictated by the need and urgency of regional activities.
- f. The Commissioner shall have authority to modify or amend any allotment previously issued. In case he shall find at any time that the probable receipts from taxes or other sources of any fund will be less than anticipated and that as a consequence the amount available for the remainder of the term of the appropriations or for any allotment period will be less than the amount estimated or allotted therefor, he shall, with the approval of the President and after notice to the department or agency concerned, reduce the amount or amounts allotted so as to conform with targeted budgetary goals.
- g. The Commissioner shall maintain control records showing quarterly by funds, accounts, and other suitable classifications as he may find necessary, the amounts appropriated, the estimated revenues, the actual revenues or receipts, the amounts allotted and available for expenditures, the unliquidated obligations, actual balances on hand, and the unencumbered balances of the allotments for each department, office or agency of the Government.

SEC. 39. *Program of Expenditure.* – The Commissioner shall recommend to the President the year’s program of expenditure for each agency of the government on the basis of authorized appropriations. The approved expenditure program shall constitute the basis for fund release during the fiscal period, subject to such policies, rules and regulations as may be approved by the President.

SEC. 40. *Special Budgets for Lump-Sum Appropriations.* – Expenditures from lump-sum appropriations authorized for any purpose or for any department, office or agency in any annual General Appropriations Act of other Act and from any fund of the national Government, shall be made in accordance with a special budget to be approved by the President, which shall include but shall not be limited to the number of each kind of position, the designations, and the annual salary proposed for which an appropriations is intended. This provision shall be applicable to all revolving funds, receipts which are automatically made available for expenditure for certain specific purposes, aids and donations for carrying out certain activities, or deposits made to cover the cost of special services to be rendered to private parties. Unless otherwise expressly provided by law, when any Board head of department, chief of bureau or office, or any other official, is authorized to appropriate, allot, distribute or spend any lump-sum appropriation or special, bond, trust, and other funds, such authority shall be subject to the provision of this section.

In case of any lump-sum appropriation for salaries and wages of temporary and emergency laborers and employees, including contractual personnel, provided in any General Appropriation Act or other Acts, the expenditure of such appropriation shall be limited to the employment of persons paid by the month, by the day, or by the hour.

SEC. 41. *Cash Budgets.* – An operational cash budget shall be implemented to ensure the availability of cash resources for priority development projects and to establish a sound basis for determining the level, type and timing of public borrowings. The procedure, format, accounts, and other details necessary for the

execution, monitoring and control aspects of the system shall be determined jointly by the Secretary of Finance, the Commissioner of the Budget and the Chairman, Commission on Audit.

SEC. 42. *Creation of Appropriation Reserves.* – The Commissioner may establish reserves against appropriations to provide for contingencies and emergencies which may arise later in the fiscal year and which would otherwise require a deficiency appropriations.

The establishment of appropriation reserves shall not necessarily mean that such portion of the appropriation will change during the fiscal year justifying the use of the reserve, necessary adjustments may be made by the Commissioner when requested by the department, office or agency concerned.

SEC. 43. *Suspension of Expenditure of Appropriations.* – Except as otherwise provided in the General Appropriations Act and whenever in his judgment the public interest so requires, the President, upon notice to the head of office concerned, is authorized to suspend or otherwise stop further expenditure of funds allotted for any agency, or any other expenditure authorized in the General Appropriations Act, except for personal services appropriation used for permanent officials and employees.

SEC. 44. *Authority to Approve Fund Transfers.* – The President shall have the authority to transfer any fund appropriated for the different departments, bureaus, offices and agencies of the Executive Department which are included in the General Appropriations Act, to any program, project, or activity of any department, bureau or office included in the General Appropriations Act or approved after its enactment.

The President shall, likewise, have the authority to augment any appropriation of the Executive Department in the General Appropriations Act, from savings in the appropriations of another department, bureau, office or agency within the Executive Branch,

pursuant to the provisions of Article VIII, Section 16 (5) of the Constitution.

SEC. 45. *Authority to Use Savings in Appropriations to Cover Deficits.* – Except as otherwise provided in the General Appropriations Act, any savings in the regular appropriations authorized in the General Appropriations Act for programs and projects of any department, office or agency, may, with the approval of the President, be used to cover a deficit in any other item of the regular appropriations: *provided*, that the creation of new positions or increase of salaries shall not be allowed to be funded from budgetary savings except when specifically authorized by law: *provided, further*, that whenever authorized positions are transferred from one program or project to another within the same department, office or agency, the corresponding amounts appropriated for personal services are also deemed transferred, without, however increasing the total outlay for personal services of the department, office or agency concerned.

SEC. 46. *Certification of Availability of Funds.* – No funds shall be disbursed, and no expenditures or obligations chargeable against any authorized allotment shall be incurred or authorized in any department, office or agency without first securing the certification of its Chief Accountant or head of accounting unit as to the availability of funds and the allotment to which the expenditure or obligation may be properly charged.

No obligation shall be certified to accounts payable unless the obligation is founded on a valid claim that is properly supported by sufficient evidence and unless there is proper authority for its incurrence. Any certification for a non-existent or fictitious obligation and/or creditor shall be considered void. The certifying official shall be dismissed from the service, without prejudice to criminal prosecution under the provisions of the Revised Penal Code. Any payment made under such certification shall be illegal and every official authorizing or making such payment, or taking part therein or receiving such payment, shall be jointly and severally liable to the government for the full amount so paid or received.

SEC. 47. *Prohibition Against the Incurrence of Overdraft.* – Heads of departments, bureaus, offices and agencies shall not incur nor authorize the incurrence of expenditures or obligations in excess of allotments released by the Commissioner for their respective departments, offices and agencies. Parties responsible for the incurrence of overdrafts shall be held personally liable therefor.

SEC. 48. *Adjustment of Appropriations for Reorganization.* – When under authority of law, a function or an activity is transferred or assigned from one agency to another, the balances of appropriations which are determined by the head of such department to be available and necessary to finance or discharge the function or activity so transferred or assigned may, with the approval of the President, be transferred to and be made available for use by the agency to which said function or activity is transferred or assigned for the purpose for which said funds were originally available. Balances so transferred shall be credited to any applicable existing appropriation account or to new appropriation accounts which are hereby authorized to be established, and shall be merged with any fund already in the applicable existing or newly established appropriation account or accounts and thereafter accounted for as one fund.

The funding requirements of agencies reorganized in accordance with approved reorganization plans or reorganized pursuant to law enacted after the approval of the general Appropriations Act, are deemed appropriated and shall be available for expenditure as soon as the reorganization plans are approved. The Commissioner is hereby authorized to make necessary adjustments in the appropriations to carry out the provisions of this section. The department head concerned, with the approval of the Commissioner, is hereby authorized to make necessary salary adjustments resulting from final selection of personnel to fill the positions in the staffing patterns of reorganized agencies, to make necessary salary adjustments resulting from new appointments, promotions or salary increases, subject to the provisions of P.D. No. 985.

SEC. 49. *Liability for Illegal Expenditure.* – Every expenditure or obligation authorized or incurred in violation of the provisions of this Decree or of the general and special provisions contained in the annual General or other Appropriations Act shall be void. Every payment made in violation of said provisions shall be illegal and every official or employee authorizing or making such payment, or taking part therein, and every person receiving such payment shall be jointly and severally liable to the Government for the full amount so paid or received.

Any official or employee of the Government knowingly incurring any obligation, or authorizing any expenditure in violation of the provisions herein, or taking part therein, shall be dismissed from the service, after due notice and hearing by the duly authorized appointing official. If the appointing official is other than the President and should he fail to remove such official or employee, the President may exercise the power of removal.

SEC. 50. *Accrual of Income to Unappropriated Surplus of the General Fund.* – Unless otherwise specifically provided by law, all income accruing to the departments, offices and agencies by virtue of the provisions of existing laws, orders, and regulations shall be deposited in the National Treasury or in and duly authorized depository of the Government and shall accrue to the unappropriated surplus of the General Fund of the Government: *provided*, that amounts received in trust and from business-type activities of government may be separately recorded and be disbursed in accordance with such rules and regulations as may be determined by the Permanent Committee created in section 51 hereof.

SEC. 51. *Special, Fiduciary and Trust Funds.* – Receipts shall be recorded as income of Special, Fiduciary or Trust Funds or Funds other than the General fund, only when authorized by law and following such rules and regulations as may be issued by a Permanent Committee consisting of the Secretary of Finance as Chairman, and the Commissioner of the Budget and the Chairman, Commission on Audit, as members. The same Committee shall likewise monitor and evaluate the activities and balances of all

Funds of the national government other than the General fund and may recommend for the consideration and approval of the President, the reversion to the General fund of such amounts as are (a) no longer necessary for the attainment of the purposes for which said Funds were established, (b) needed by the General fund in times of emergency, or (c) violation of the rules and regulations adopted by the Committee: *provided*, that the conditions originally agreed upon at the time the funds were received shall be observed in case of gifts or donations or other payments made by private parties for specific purposes.

SEC. 52. *Service Fees and Honoraria.* – Agencies are authorized to charge fees, including honoraria and other reasonable allowances, as compensation for consultation, seminars or training programs, or technical services rendered to other government agencies or private parties. Such fees or honoraria shall be recorded as income of the government and subject to the usual accounting, auditing and other pertinent requirements and to the provisions of section 40 of this Decree.

SEC. 53. *Administration of Lump-Sum Funds.* – The Budget Commission shall administer the Lump-Sum Funds appropriated in the General Appropriations Act, except as otherwise specified therein, including the issuance of Treasury Warrants covering payments to implementing agencies or other creditors, as may be authorized by the President.

SEC. 54. *Cost Reduction.* – Each head of department, bureau, office or agency shall implement a cost reduction program for his department, bureau, office or agency for the purpose of reducing cost of operations and shall submit to the President reports on the results of the implementation thereof. The Budget Commission shall provide technical and other necessary assistance in the design and implementation of cost reduction activities. An incentive award not exceeding one month's salary may be granted to any official or employee whose suggestion for cost reduction has been adopted and shall have actually resulted in cost reduction, payable from the savings resulting therefrom.

SEC. 55. *Authority to Use Savings for Certain Purposes.*

– Savings in the appropriations provided in the General Appropriations Act may be used for the settlement of the following obligations incurred during a current fiscal year or previous fiscal years as may be approved by the Commissioner in accordance with rules and procedures as may be approved by the President:

- a. Claims of officials, employees and laborers who died or were injured in line of duty, including burial expenses as authorized under existing law;
- b. Commutation of terminal leaves of employees due to retirement, resignation or separation from the service through no fault of their own in accordance with the provisions of existing law, including unpaid claims for commutation of maternity leave of absence;
- c. Payment of retirement gratuities or separation pay of employees separated from the service due to government reorganization;
- d. Payment of salaries of employees who have been suspended or dismissed as a result of administrative or disciplinary action, or separated from the service through no fault of their own and who have been subsequently exonerated and/or reinstated by virtue of decisions of competent authority.
- e. Cash awards to deserving officials and employees in accordance with the civil service law;
- f. Salary adjustments of officials and employees as a result of classification action under, and implementation of, the provisions of the Compensation and Position Classification Act, including positions embraced under the Career Executive Service;

- g. Peso support to any undertaking that may be entered into by the government with international organizations, including administrative and other incidental expenses;
- h. Covering any deficiency in peso counterpart fund commitments for foreign-assisted projects, as may be approved by the President;
- i. Priority activities that will promote the economic well-being of the nation, including food production, agrarian reform, energy development, disaster relief, and rehabilitation.
- j. Repair, improvement and provision of government buildings and infrastructure and other capital assets damaged by natural calamities;
- k. Expenses in connection with official participation in trade fairs, civic parades, celebrations, athletic competitions and cultural activities, and payment of expenses for the celebration of regular or special official holidays;
- l. Payment of obligations of the government or any of its departments or agencies as a result of final judgment of the Courts, and
- m. Payment of valid prior year's obligations of government agencies with any other government office or agency, including government-owned or controlled corporations.

SEC. 56. *Appointment of Budget Officers.* – No person shall be appointed as budget officer in any department, bureau, office or agency unless he meets qualification and/or training requirements established by the Budget Commission as prerequisite to appointment, in addition to other qualification requirements prescribed by the Civil Service Commission for the position.

BUDGET ACCOUNTABILITY

SEC. 57. *Evaluation of Agency Performance.* – The President, through the Commissioner, shall evaluate on a continuing basis the quantitative and qualitative measures of agency performance as reflected in the units of work measurement and other indicators of agency performance, including the standard and actual costs per unit of work.

SEC. 58. *Budget Monitoring and Information System.* – The Commissioner shall determine accounting and other items of information, financial or otherwise, needed to monitor budget performance and to assess effectiveness of agencies' operations and shall prescribe the forms, schedule of submission, and other components of reporting system, including the maintenance of subsidiary and other records which will enable agencies to accomplish and submit said information requirements: *provided*, that the Commission on Audit shall, in coordination with the Budget Commission, issue rules and regulations that may be applicable when the reporting requirements affect accounting functions of agencies: *provided, further*, that the applicable rules and regulations shall be thus issued by the Commission on Audit within a period of thirty (30) days after the Budget Commission prescribes the reporting requirements.

SEC. 59. *Monitoring of Expenditures.* – Expenditures of national government agencies shall be recorded so as to identify expenditures as classified into such categories as may be determined by the Budget Commission, including but not limited to the following: (a) agency incurring the obligation, (b) program, project and activity, (c) object of expenditure, including personal services, operating and maintenance expenditures, equipment, and capital outlays, (d) region or locality of use, (e) economic or functional classification of the expenditure, (f) obligational authority and cash transactions arising from fund releases, and such other classifications as may be necessary for the budget process. The Commissioner of the Budget shall determine the data and information requirements thus needed and the Commission on Audit shall formulate the accounting rules

and regulations, including changes in the Chart of Accounts and the general or subsidiary accounting records, as may be necessary to generate the desired data and information. The Chief Accountants of agencies and where necessary, accountants of regional offices, shall submit the data needed by the Budget Commission in accordance with such rules and regulations as it may formulate.

SEC. 60. *Standard Costs.* – The Budget Commission through the Management Office and National Accounting Office, shall develop standard costs for duly approved units of work measurement for each agency’s budgetary projects or activities. These standards costs shall be compared with actual unit costs and utilized in the evaluation of agency budgetary performance.

SEC. 61. *Review of Budgetary Programs.* – The Commissioner shall conduct a continuing review of the budgetary program and project structure of each department, office or agency, the result of which shall be the basis for modifying or amending such structure for incorporation in the President’s budget proposals to the National Assembly.

SEC. 62. *Semi-Annual Report on Accomplishments of Government Agencies.* – The heads of departments, bureaus, offices or agencies of the government shall submit a semi-annual report of their accomplishments, both work and financial results, in accordance with such content and format as may be prescribed by the Commissioner. These reports shall be designed and used for the purpose of monitoring the efficiency and effectiveness with which budgeted funds are being utilized, and generally for verifying the attainment of

SEC. 63. *Failure to Submit Reports.* – Failure on the part of agency heads, chief accountants, budget officers, cashiers, disbursing officers, administrative and/or personnel officers, and other responsible officers of departments, bureaus, offices and agencies to submit trial balances, work and financial plans, budgets, reports of operation and income, plans, special budgets, reports of operation and income, current agency plantilla of personnel and

such other report as may be necessary and required by the Budget Commission shall automatically cause the suspension of payment of their salaries until they have complied with the requirements of the Budget Commission. No appropriation authorized in the General Appropriations Act shall be made available to pay the salary of any official or employee who violates the provisions of this section, in addition to any disciplinary action that may be instituted against such erring official or employee.

EXPENDITURE OF APPROPRIATED FUNDS

SEC. 64. *Contracting of Activities.* – Agencies may enter into contracts with individuals or organizations, both public and private, subject to provisions of law and applicable guidelines approved by the President: *provided*, that contracts shall be for specific services which cannot be provided by the regular staff of the agency, shall be for a specific period of time, and shall have a definite expected output: *provided, further*, that implementing, monitoring and other regular and recurring agency activities shall not be contracted for, except for personnel hired on an individual and contractual basis and working as part of the organization, or as otherwise may be approved by the President: *provided, finally*, that the cost of contracted services shall not exceed the amount that would otherwise be incurred had the work been performed by regular employees of government, except as may be authorized under this section.

SEC. 65. *Authority to Receive Additional Compensation.* – Officials and employees who are duly appointed by competent authority to any position in another government office or agency in a current capacity, may, in the discretion of the President, be allowed to receive additional compensation in the form of allowance or honorarium at such rates he shall fix and subject to such conditions as he may prescribe. Such additional compensation shall be paid from the appropriations of the office or agency benefiting from the concurrent service.

SEC. 66. *Restriction on Salary Increases.* – No portion of the appropriations provided in the General Appropriations Act shall be used for payment of any salary increase or adjustment unless specifically authorized by law or appropriate budget circular nor shall any appropriation for salaries authorized in the General Appropriations Act, save as otherwise provided for under the Compensation and Position Classification Act, be paid unless the positions have been classified by the Budget Commission.

SEC. 67. *Merit Increases.* – The budgets of national government agencies may provide for a lump-sum for merit increases, subject to such terms and conditions as may be approved by the President. Such lump-sum shall be used to fund salary increases approved by the head of agency in recognition of meritorious performance: *provided*, that the Civil Service Commission and the Budget Commission shall jointly issue the rules and regulations governing the granting of such merit increases.

SEC. 68. *Salary for Substitutionary Service.* – When an official or employee is issued a duly approved appointment in a temporary or acting capacity to take the place and perform the duties of another who is temporarily absent from his post with pay, savings in the appropriations of the department, bureau or office may be used for the payment of his salary or differential, subject to the approval of the Commissioner.

SEC. 69. *Prohibition Against Payment of Salaries or Wages of Officials and Employees on Strike Against the Government.* – Subject to existing civil service rules and regulations and the proper administrative proceedings, no part of the funds of, or available for expenditures by, any department, office or agency of the Government shall be used to pay the salaries or wages of any official or employee engaging in a strike against the Government of the Republic of the Philippines, or who is a member of any organization of government employees that, in the opinion of the Secretary of Justice, asserts the right to strike against the Government of the Philippines.

SEC. 70. *Additional Compensation for Overtime Service.* – Officials and employees of the National Government, when required to work overtime after regular working hours during ordinary days, during half-day sessions, or on Saturdays, Sundays and holidays, by the heads of departments concerned, to finish work that must be completed within a specified time, may be paid overtime compensation from any unexpended balance of the appropriation for salaries and wages authorized in the General Appropriations Act and under such guidelines as may be issued by the President.

SEC. 71. *Compensation of Persons Receiving Pension.* – A person receiving life pension, annuity, or gratuity as a result of service in the national government of any local government unit, or from any government-owned or controlled corporation, who is reappointed to any position, the appropriation for the salary of which is provided from funds of the office, shall have the option to receive either the compensation for the position, or the pension, gratuity or annuity, but in no case shall he receive both.

SEC. 72. *Prohibition of Voluntary Service.* – Unless otherwise specifically approved by the President, no person shall be employed or appointed in the government under the guise of voluntary service, with compensation below the authorized hiring rate for the position, but with privilege of transportation and/or representation expenses in any form, or of receiving per diems, allowances, honoraria, subsistence, quarters in cash or in kind, payable from government funds: provided, that the application of this provision may be waived to authorize voluntary service in the Armed Forces of the Philippines or in connection with relief operations.

SEC. 73. *Additional Compensation for School Faculty Members.* – Professors, instructors, teachers, or members of the faculty of government schools, colleges and universities, when required to teach more than their regular teaching loads may be paid additional compensation not exceeding seventy-five percentum of their basic salary.

SEC. 74. *Laundry.* – At the discretion of the department head concerned, any official or employees of the national government serving in any hospital, penal institution, or other similar institution, who is required to wear a uniform during the performance of his duties, may be granted laundry allowance in kind, or which may be commuted at such rates as may be authorized by the Budget Commission.

SEC. 75. *Hazard Pay.* – Upon recommendation of the department head concerned and approval of the Commissioner, hazard pay may be allowed to employees who are actually assigned to danger or strife-torn areas, disease-infested places, or in distressed or isolated stations and camps, which expose them to great danger of contagion or peril to life. Such hazard pay shall be paid from savings of the department concerned at such rates, terms and conditions as the Commissioner may prescribe.

SEC. 76. *Subsistence.* – No official or employee of the national government shall be given subsistence, the cost of which is payable from any fund, except the following and only when an appropriation therefor is specifically provided:

- a. Marine officers, engineers and crew of government vessels, launches, and motorboats, who shall take their meals on the mess when aboard the said vessels, launches, or motorboats;
- b. Lightkeepers and other employees in light stations duly authorized by the head of the department to receive subsistence, who shall be furnished raw canned, or preserved food supplies;
- c. Officials and employees who are required to render service within the premises of hospitals, penal institutions, leper institutions, military installations, and other similar institutions, for a continuous period that includes meal time, may be allowed full subsistence

when required to live in said premises to make their services available at any and all times;

- d. Laborers temporarily fielded to isolated or unsettled districts shall be furnished the usual rations or the equivalent in cash, at the expense of the government.

In hospitals and leper institutions where there are no mess halls or whenever these are inadequate personnel entitled to subsistence allowance in kind may commute such subsistence upon request of the personnel concerned subject to the approval by the department head at authorized rates chargeable against the appropriation for supplies and materials authorized in the General Appropriations Act.

SEC. 77. *Subsistence of Crew of Government Vessels.* – The subsistence allowance for the officers and crew of the coast guard and revenue cutters and lighthouse tenders and other large vessels operated by the Government shall be spent for conducting a mess under the charge and administration of one or more members of the complement in each vessel to be designated by the corresponding head of department, and in accordance with regulations to be issued by him. The person or persons so designated shall keep an account of the advances of funds received and expenditures made therefrom for the operation of the mess and shall render such report to the corresponding Accounting Officer promptly at the end of each month.

SEC. 78. *Furnished Quarters.* – When the position of any official or employee is provided with “furnished quarters”, such official or employee shall be entitled to the use of such government-owned furniture and equipment as are necessary for his board and lodging and those for his family including children below twenty-one years of age.

SEC. 79. *Per Diems of Government Officials and Employees.* – When a government official or employee is authorized to travel on official business outside of his permanent station, he shall be entitled to per diems to cover his board and lodging in accordance

with his schedule: *provided*, that in addition to per diems, the official or employee may be entitled to transportation expenses in going to and coming from his destination and to daily allowance while in the field: *provided, further*, that officials and employees on travel status whose expenses for board and lodging are paid directly or indirectly by government may not be entitled to receive the per diems and allowances corresponding to such payments.

Department secretaries, heads of Constitutional bodies, undersecretaries and all other positions of equivalent rank are authorized the reimbursement of actual expenses supported by receipts, within such limits as may be imposed under the provisions of this section.

Officials and employees authorized to travel abroad may be granted clothing allowance: *provided*, that no official or employee shall be granted such clothing allowance oftener than once every twenty-four months.

The rates of per diems and other allowances as authorized in this section shall be determined by the President. The rates may be changed from time to time upon recommendation of a Travel Rates Committee which is hereby created, consisting of the Commissioner of the Budget as Chairman and the Secretary of Foreign Affairs, the Secretary of Tourism and the Chairman, Commission on Audit, or their representatives, as members.

The Committee shall review travel rates and shall recommend to the President for consideration and approval modification in rates and policy when found to be warranted by actual domestic or foreign travel costs, as the case may be.

Government-owned or controlled corporations shall observe the rates established under this section: *provided*, that profit-making corporations may adopt their own scales as may be approved by the President.

The Travel Rates Committee shall issue the necessary rules and regulations to enforce the provisions of this section.

SEC. 80. *Additional Conditions for Payment of Travel Expenses.* – When travel is done by water and subsistence is not included in the transportation cost, the amount actually and necessarily spent for subsistence during such travel time shall be paid, and no *per diems* shall be allowed in lieu thereof.

Per diems and travel allowances shall not be granted to members of field parties or others for whom subsistence and/or allowances in kind are supplied or other special provision made to cover travel expenses.

The travel expenses of a government official or employee who is assigned to render a special service to any private person or entity, the expenses for which are payable by the latter, shall be paid from a deposit which the private party shall be required to make before the performance of the special service is commenced, subject to the limitations and requirements herein provided for travel expenses payable from government funds.

No official or employee of the Government who remains temporarily at one station for a period longer than one month shall be paid *per diems* in excess of one month, except upon the approval of the head of department, and, in case his temporary stay in any one place exceeds three months, payment of *per diems* in excess of three months shall be made only upon the previous approval of the Commissioner.

SEC. 81. *Transportation of Members of Family of an Employee Transferred from One Station to Another.* – Whenever, due to the exigencies of the service and not at his own request, an official or employee is transferred from one station to another, said official or employee and his spouse and children below twenty-one years of age shall be entitled to transportation and freight for reasonable and necessary baggage and household effects, at the expense of

the Government, to be paid from the appropriation for traveling expenses of the bureau or office concerned.

SEC. 82. *Purchase, Use, Operation and Maintenance of Motor Transport Equipment.* – No appropriation for equipment authorized in the General Appropriations Act shall be used directly or indirectly for the purchase of automobiles, jeeps, jitneys, station wagons, motorcycles, trucks, launches, speedboats, airplanes, helicopters and other types of motor transport equipment unless otherwise specifically authorized by the President.

All departments, bureaus, offices, and agencies authorized to purchase motor transport equipment including those acquired through donations, gifts or gratuitous title are likewise authorized to use, operate and maintain them for purposes of carrying out the official functions and activities of the agency. These motor vehicles shall be used strictly for official business, bear government plates only, and after office hours to be kept in a garage provided therefor by the office or agency to which they belong, except, when in use for official business outside office hours. The President, however, may authorize exceptions from these provisions for officials of government who work under extended hours or whose activities call for special security arrangements. Any violation of the provisions of this section shall subject the erring official or employee to administrative disciplinary action and he shall be personally liable for any loss or damage caused to the government or third persons.

The Commission on Audit shall issue rules and regulations governing the use, operation and maintenance of government motor transport equipment.

SEC. 83. *Limitation of Rental or Motor Vehicles.* – No appropriations authorized in the General Appropriations Act shall be used for renting motor transport equipment for a continuous period of more than fifteen days, except as may be authorized by the Commissioner.

SEC. 84. *Limitation of Purchase of Supplies, Materials, and Equipment Spare Parts.* – Except as otherwise provided in the General Appropriations Act, the stock on hand of supplies, materials and equipment spare parts, acquired through ordinary and emergency purchase, shall at no time exceed normal three-month requirements, subject to the pertinent rules and regulations issued by competent authority: provided, that department heads may approve the build-up of stocks on hand of critical supplies and materials, in anticipation of cost increases or requirements of a national emergency, and specifying maximum quantities of individual items, but in no case shall these stocks exceed more than one year's supply, unless otherwise approved by the President.

SEC. 85. *Purchase of Locally Manufactured Products.* – All appropriations for the purchase of equipment, supplies and materials authorized in the General Appropriations Act shall be available only for locally manufactured equipment, parts, accessories, medicines and drugs, supplies and materials, except when none is available in the market or when the price of the locally manufactured article exceed those determined by the Flag Law.

SEC. 86. *Availability of Appropriations for Rental for Building and Grounds.* – Any appropriation authorized in any Act for rental of buildings and grounds for any department, bureau, office or agency shall be available for expenditure only when authorized by the department head concerned. Such appropriation may also be used for lease purchase arrangements.

With the concurrence of the Commissioner and the Secretary of Finance, the head of the department may contract with any government financial institution for loans intended for the acquisition of land for the construction of an office building for any of the agencies under the department. The annual amortization of the loans shall be taken from the appropriations for rental authorized under any Act for the department, bureau or office concerned.

SEC. 87. *Misuse of Government Funds and Property.* – Any public official or employee who shall apply any government fund or

property under his administration or control to any use other than that for which such fund or property is appropriated by law, shall suffer the penalty imposed under the appropriate penal laws.

SEC. 88. *Guidelines on Use of Appropriations.* – The President may supplement, change, adjust, modify or amend those provisions of this Decree and other pertinent laws which govern the expenditure of appropriated funds, including changes in rates otherwise specified. The Budget Commission shall conduct on a continuing basis and as part of its regular functions, studies and analyses needed to improve upon existing guidelines and shall submit these to the President with appropriate recommendations and for promulgation as provided for under this section.

FINAL PROVISIONS

SEC. 89. *Rules and Regulations.* – The Budget Commission shall issue the rules and regulations governing the implementation of this Decree.

SEC. 90. *Repealing Clause.* – The provision of Sections 1656 and 1657 of the Revised Administrative Code, Commonwealth Act No. 246, Republic Act No. 992, Presidential Decrees No. 75 and 999 and all laws, decrees, executive orders, rules and regulations or parts thereof which are inconsistent with the provisions of this Decree are hereby repealed and/or modified accordingly.

SEC. 91. *Separability Clause.* – If for any reason, any section or provision of this Decree is declared to be unconstitutional or invalid, other sections or provisions thereof which are not affected thereby, shall continue in full force and effect.

SEC. 92. *Effectivity.* – This Decree shall take effect immediately.

Done in the City of Manila, this 30th day of July in the year of Our Lord, nineteen hundred and seventy-seven.

PD 1177 s. 1977 repealed and/or modified accordingly ACT 2711 (secs. 1656 and 1657).
PD 1177 s. 1977 repealed and/or modified accordingly CA 246.
PD 1177 s. 1977 repealed and/or modified accordingly RA 992.

MALACAÑANG
MANILA

PRESIDENTIAL DECREE NO. 1426

**GRANTING EMERGENCY MONTHLY INCENTIVE ALLOWANCE
TO LAWYERS IN THE BUREAU OF AGRARIAN LEGAL
ASSISTANCE AND IN THE REGIONAL AND FIELD
OFFICES OF THE DEPARTMENT OF AGRARIAN AND
PROVIDING APPROPRIATE FUNDS THEREFOR**

WHEREAS, it is imperative that the agrarian reform program of the government be implemented with maximum efficiency and speed;

WHEREAS, in the implementation of the program there are many legal problems that have arisen requiring the continuous and dedicated service of the lawyers;

WHEREAS, the Bureau of Agrarian Legal Assistant (BALA) of the Department of Agrarian Reform (DAR) is charged with the functions, among others, of giving legal assistance and services to the beneficiaries of the agrarian reform program;

WHEREAS, it has been ascertained that several lawyers had left the BALA and other regional offices of the DAR and still others are intending to leave due to the low salary being provided for lawyer positions and the reason why several lawyer positions remain unfilled while other agencies, including the private sector, continue to attract applicants to their offices because they offer higher salaries and many fringe benefits; and

WHEREAS, if the present situation is allowed to continue the speedy termination of thousands of agrarian cases pending before DAR and the various courts will be adversely affected and this will be remedied by giving the remaining lawyers in the BALA and in the DAR regional and field offices monthly incentive allowances to

augment their low salaries and at the same time attract new lawyer applicants.

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by the Constitution, do hereby order and decree:

SECTION 1. All lawyers in the Bureau of Agrarian Legal Assistance and in the regional and field offices of the Department of Agrarian Reform holding regular positions shall receive monthly incentive allowance in the manner herein indicated, as follows:

Position	Monthly Incentive Allowance		
	1st Step	2nd Step	3rd Step
Group A	P200	P100	P100
Trial Attorney II			
Legal Officer III			
Research Attorney I			
Research Attorney II			
Group B	250	150	150
Legal Officer IV			
Senior Research Attorney			
Group C	300	175	175
Trial Attorney III			
Senior Legal Officer			
Group D	350	200	200
Chief Legal Officer			
Trial Attorney IV			
Chief Research Attorney			
Group E			
Assistant Director	1,000		
Director	1,500		

SEC. 2. Regular and support personnel of the BALA who are assigned in the Central office (Bureau Proper) shall be paid monthly emergency incentive allowance at the rate of fifty percent (50%) of the corresponding monthly rate provided for in Group A

hereof. However, in cases of other DAR lawyers who are performing supportive legal services shall be given fifty percent (50%) of the incentive allowances corresponding to the above groupings were his CCPC salary or CESO Rank belong.

SEC. 3. BALA lawyers whose positions are embraced in the Career Executive Service (CES) shall continue to enjoy whatever allowances they are entitled to receive under the CES simultaneously with the allowance herein provided.

SEC. 4. The Secretary of Agrarian Reform shall, through the recommendation of the BALA Director, promulgate rules and regulations for the implementation of this Decree.

SEC. 5. In order to carry out the provisions of this Decree the sum of THREE MILLION SEVEN HUNDRED TWENTY-ONE AND TWO HUNDRED PESOS (P3,721,200.00) is hereby appropriated from the National Treasury. However, for the current calendar year, the amount necessary for the payment of the first step of the incentive allowance plan hereof shall be taken from the salary savings of the Department of Agrarian Reform. Thereafter, the sum needed to fully implement the herein incentive allowance plan shall be included in the Annual General Appropriations Act.

SEC. 6. All laws, decrees, executive orders, rules and regulations, or part thereof inconsistent with this Decree are hereby repealed, amended or modified accordingly.

SEC. 7. This incentive allowance plan provided herein shall take effect on January 1, 1978.

Done in the City of Manila, this 10th day of June, in the year of Our Lord, nineteen hundred and seventy-eight.

(Sgd.) FERDINAND E. MARCOS
President of the Philippines

By the President:

(Sgd.) JACOBO C. CLAVE
Presidential Executive Assistant

MALACAÑANG
Manila

PRESIDENTIAL DECREE NO. 1474

**DECLARING THE SAN PEDRO TUNASAN ESTATE OF THE
DEPARTMENT OF AGRARIAN REFORM SUITABLE FOR
RESIDENTIAL, COMMERCIAL OR INDUSTRIAL, OR
OTHER NON-AGRICULTURAL PURPOSES**

WHEREAS, the San Pedro Tunasan Estate, now known as the Laguna Resettlement Project, Located at San Pedro, Laguna, and containing an area of 850 hectares, more or less, was acquired on August 28, 1954 by the Government, through the National Resettlement and Rehabilitation Administration (NARRA), for redistribution and resale to, and agricultural development and cultivation by, the bona fide tenants/occupants therein;

WHEREAS, in spite of years of occupation and cultivation, the Estate has remained unproductive because it is rocky, rolling and unirrigated and its thin layer of soil in certain areas is not conducive to agricultural development;

WHEREAS, in studies made on land capability and use by the Department of Agrarian reform and other agencies, it has been established that the Estate is more suitable to residential, commercial or industrial, or other non-agricultural uses;

WHEREAS, around the Estate are urban development projects of various categories such as residential subdivisions, commercial and industrial establishments;

WHEREAS, the rational utilization of the Estate for residential, commercial or industrial and other non-agricultural purposes will bring about decongestion of Metro Manila through the establishment of low-cost housing projects and the dispersal of industrial or commercial enterprises.

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by the Constitution, do hereby order and decree:

SECTION 1. The Department of Agrarian Reform, as Administrator of the San Pedro Tunasan Estate, is hereby ordered to convert such estate into a commercial, industrial and residential site and to transfer the same to the National Housing Authority.

SEC. 2. Individuals who have legally acquired farm lots in the Estate under Orders of Award or Certificates of Land Transfer or Agreements to Sell or Deeds of Sale, may sell or transfer their lots covered thereby or convert the same for the purposes mentioned in Section 1 hereof.

SEC. 3. Introduction of improvements on the land acquired under this Decree shall be in accordance with human settlement, land housing, and environmental planning policies and programs of the government.

SEC. 4. Any provision of law, decree, executive order, ordinances, rules and regulations inconsistent herewith are hereby repealed, amended and/or modified accordingly.

SEC. 5. This Decree shall take effect immediately.

DONE in the City of Manila, this 11th day of June, in the year of Our Lord, nineteen hundred and seventy-eight.

(Sgd.) FERDINAND E. MARCOS
President of the Philippines

By the President:

(Sgd.) JUAN C. TUVERA
Presidential Assistant

MALACAÑANG
Manila

PRESIDENTIAL DECREE NO. 1517

**PROCLAIMING URBAN LAND REFORM IN THE PHILIPPINES
AND PROVIDING FOR THE IMPLEMENTING MACHINERY
THEREOF**

WHEREAS, it is declared objective of the New Society to effect social, economic and political reforms attuned to the establishment of a secure national community and to an improved quality of life for all citizens and for all others who may sojourn upon our shores;

WHEREAS, the quality of human life in our times is inescapably determined by the relationship among population, resources, the environment, and intelligent policies;

WHEREAS, human settlements is an integrative concept embracing the interdependence of man's environment, human shelters and structures, and the design and organization of human communities consistent with a national framework plan, all for the people's security and well-being;

WHEREAS, land is the ultimate platform of all man's activities, and the crucial factor in determining the shape of human settlements;

WHEREAS, the basic law of the land explicitly provides for the regulation of the acquisition, ownership, use, enjoyment and disposition of private property and for the equitable diffusion of property ownership and profits which includes land and land resources;

WHEREAS, the traditional concept of landownership has aggravated the problem arising from urbanization such as the proliferation of blighted areas and the worsening of the plight of

the urban poor and has spawned valid and legitimate grievances in urban centers giving rise to social tension and violent conflicts;

WHEREAS, a social reform objective of the New Society is to renew blighted areas, improve the conditions of the urban poor and resolve and redress legitimate grievances arising therefrom, while at the same time providing incentives to progressive landowners and developers who wish to develop their lands in accordance with government plans and programs responsive to community welfare;

NOW, THEREFORE, in the light of the above premises, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by the Constitution, do hereby order and decree and make as part of the law of the land that:

SECTION 1. *Title.* This Act shall be known as the Urban Land Reform Act.

SEC. 2. *Declaration of Policy.* It is hereby declared to be the policy of the State a) to liberate our human communities from blight, congestion, and hazard and to promote their development and modernization; b) to bring out the optimum use of land as a national resource for public welfare rather than as a commodity of trade subject to price speculation and indiscriminate use; c) to provide equitable access and opportunity to the use and enjoyment of the fruits of the land; d) to acquire such lands as are necessary to prevent speculative buying of land for public welfare; and e) to maintain and support a vigorous private enterprise system responsive to community requirements in the use and development of urban lands.

SEC. 3. *Definitions.* As used in this Decree, the following words and phrases shall have the following meanings and definitions:

(a) Development Rights, also known as “new use rights”, refers to the right to use and/or develop land and improvements thereon including putting them to a more intensive use,

conversion to a more profitable use, increasing density and the like.

(b) Land Assembly refers to the acquisition of lots varying ownership through, among others, expropriation or negotiated purchase, for the purpose of planning and development unrestricted by individual property boundaries.

(c) Land Banking refers to the acquisition of land in advance of actual need for the purpose of acquiring lands at existing use value and disposing of them in a manner which would influence land price formation and promote planned development.

(d) Land Exchange refers to the process of bartering land for another piece of land and/or shares of stock of equal value in a government or quasi-government corporation.

(e) Joint Ventures refers to the commitment, for more than a limited duration, of funds, land resources, facilities and services by two or more legally separate interests, to an enterprise for their mutual benefit.

(f) Tenant refers to the rightful occupant of land and its structures, but does not include those whose presence on the land is merely tolerated and without the benefit of contract, those who enter the land by force or deceit, or those whose possession is under litigation.

(g) Urban lands refer to the lands which conform to any of the following criteria:

1. In their entirety, all cities and municipalities which have the population density of at least 1,000 persons per square kilometer and where at least 50 percent of the economically active population are engaged in non-agricultural activities.

2. All barangays comprising the former poblacion or barangays including a part of the former poblacion of cities or municipalities which have a population density of greater than 500 but less than 1,000 persons per square kilometer; and where at least 50 percent of the economically active population engaged in non-agricultural activities.

3. All barangays not included in items 1 and 2 above which have a population size of at least 1,000 and where at least 50 percent of the economically active population are engaged in non-agricultural activities.

(h) Urbanizable lands refers to sites and land areas which, considering present characteristics and prevailing conditions, display a marked and high probability of becoming urban lands within the period of five to ten years.

SEC. 4. *Proclamation of Urban Land Reform Zones.* The President shall proclaim specific parcels of urban and urbanizable lands as Urban land Reform Zones, otherwise known as Urban Zones for purposes of this Decree, which may include Bagong Lipunan Sites, as defined in P.D. 1396.

Upon proclamation, the Ministry of Human Settlements, hereafter referred to as the Ministry, shall prepare the appropriate development and zoning plans, and formulate the enforcement and implementing guidelines which shall in force and effect upon approval by the President and shall be enforced by the Ministry or its attached agencies.

No urban land can be disposed of or used or constructed on unless its disposition or use conforms with the development and zoning plans of the Ministry, and the approved enforcement and implementation guidelines in accordance with the Official Development Registry System and the Development Use Permit System provided for in Section 13 and 16 of this Decree.

SEC. 5. *Creation of an Urban Land Reform Coordinating Council.* An interagency body, to be known as the Urban Land Reform Coordinating Council hereinafter referred to as the Coordinating Council, is hereby constituted. It shall be composed of the Ministers of Human Settlements, Agrarian Reform, Finance, Justice, Local Government and Community Development, Industry, National Resources, and the President of the Land Bank; with the Minister of Human Settlements as the Chairman.

The Ministry, in conjunction with the Coordinating Council, shall formulate the general policies and guidelines for the Urban Land Reform Program and its rules and regulations, which shall come into force and effect upon the approval of the President.

SEC. 6. *Land Tenancy in Urban Land Reform Areas.* Within the Urban Zones legitimate tenants who have resided on the land for ten years or more who have built their homes on the land and residents who have legally occupied the lands by contract, continuously for the last ten years shall not be dispossessed of the land and shall be allowed the right of first refusal to purchase the same within a reasonable time and at reasonable prices, under terms and conditions to be determined by the Urban Zone Expropriation and Land Management Committee created by Section 8 of this Decree.

SEC. 7. *Acquisition of Residential Lands for Existing Tenants and Residents.* In cases where the tenants and residents, referred to in Section 6 of this Decree, are unable to purchase the said lands, the Government shall acquire the land and/or improvements thereon by expropriation or other land acquisition technique provided for under Section 11 of this Decree.

In case of expropriation the Government shall acquire said lands in accordance with the policies of existing law especially Presidential Decree No. 76 as amended by paragraph 3 of Presidential Decree No. 1224 and Section 1 of Presidential Decree No. 1313 as herein amended.

Upon the filing of the petition for expropriation and the deposit in the Philippine National Bank at its main office or any of its branches of the amount equivalent to ten per cent (10%) of the declared assessment value in 1975, the Government, or its authorized agency or entity shall immediately have possession, control and disposition of the real property and the improvements thereon with the power of demolition, if necessary, even pending resolution of the issues that may be raised whether before the Court of First Instance, Court of Agrarian Relations, or the higher Courts.

SEC. 8. *Creation of Urban Zone Expropriation and Land Management Committee.* For the purpose of expropriating lands as provided under Section 7, the Ministry is hereby vested with the power of eminent domain.

To assist the Ministry in the exercise of this power, an Urban Zone Expropriation and Land Management Committee, hereinafter referred to as the Committee, shall be created in the city, town or locality or within the Urban Zone, to be composed of members from the relevant government and private sectors designated by the Minister of Human Settlements, with the authorized representative of the Ministry serving as the Chairman.

The Committee shall in addition to the above mentioned function, formulate programs and projects specific to the Urban Zones, specifying among others, the operative procedure for land acquisition and its phasing, and shall recommend to the Coordinating Council the appropriate mode of disposition and other related aspects of land management.

SEC. 9. *Compulsory Declaration of Sale and Pre-emptive Rights.* Upon the proclamation by the President of an area as an Urban Land Reform Zone, all landowners tenants and residents thereupon are required to declare to the Ministry any proposal to sell, lease or encumber lands and improvements thereon, including the proposed price, rent or value of encumbrances and secure approval of said proposed transaction.

The Ministry shall have the pre-emptive right to acquire the above mentioned lands and improvements thereon which shall include, but shall not be limited to lands occupied by tenants as provided for in Section 6 of this Decree.

SEC. 10. *Innovative Land Acquisition Techniques.* The Ministry and/or its appropriate attached agency is hereby authorized to utilize any innovative land acquisition techniques as an alternative to land purchase and expropriation for the purpose of acquiring lands within the proclaimed ULRZS and/or Bagong Lipunan sites, including land assembly, land banking, land exchange land consolidation and readjustment and joint venture arrangements.

SEC. 11. *Land Valuation.* The Ministry of Finance shall develop and utilize new valuation techniques and assessment classification levels appropriate to the innovative acquisition techniques and tax system provided for in this Decree.

SEC. 12. *Official Development Registry.* To provide the basis for decisions of the Ministry with regard to land acquisition, exercise of pre-emptive rights under Section 9 of this Decree and disposition of lands, and to regulate transactions affecting land, the Ministry, through the Human Settlements Regulatory Commission, shall undertake on a continuing basis in every proclaimed Urban Zone, registration of existing land rights and interests, and development proposals of public and private entities through the establishment of an Official Development Registry.

The Registry shall contain, among others, information on detailed boundaries, of lands, titles to said lands and intent to acquire and/or develop specific parcels of land, which information shall be furnished by the holders of land rights and interested developers.

SEC. 13. *Role of the Bureau of Lands and the Land Registration Commission.* The Bureau of Lands and the Land Registration

Commission shall provide the Ministry with the cadastral maps and other information entered into the Development Registry.

The Land Registration Commission, shall prior to registration of any transactions affecting properties in the Urban Zones, first secure clearance from the Ministry.

SEC. 14. *Land Disposition.* The Government shall adopt, as a general policy, a combination of land disposition techniques within the Urban Land Reform Zones.

The Ministry is hereby authorized to utilize innovative land disposition techniques in Urban Zones and/or Bagong Lipunan sites, including neighborhood ownership, residential freeholds subject to improvement conditions and the reservation of development rights, and tenure in improvements separate from tenure in land. For this purpose, the Human Settlements Development Corporation created under P.D. 1396 as the corporate arm of the Ministry shall, notwithstanding the prohibition contained in Section 7(e) of P.D. 1396 be authorized to dispose of lands in any of them manner provided for in this Section.

The Ministry, in consultation with the Coordinating Council, shall determine the appropriate land disposition schemes for each Urban Zones.

SEC. 15. *Development Use Permit System for Urban Land Reform Areas.* A comprehensive development use permit system is hereby established in proclaimed Urban Zones and/or Bagong Lipunan sites which shall govern the development of lands within said areas.

Under this system, no development of lands, including its use, alteration and construction thereon shall take place without the corresponding Development Use Permit being issued by the Ministry, through the Human Settlements Regulatory Commission.

SEC. 16. *Taxation.* Within designated Urban Zones and/or Bagong Lipunan sites, the government shall implement a taxation system in support of the basic policies underlying the urban land reform program.

For this purpose, the Ministry of Natural Resources and the Ministry of Finance shall conduct an inventory, assessment of idle lands throughout the Philippines, with priority given to Urban Zones.

SEC. 17. *Land Development Financing.* To ensure and encourage private participation in land development and management activities the Ministry, with the appropriate public and private agencies, shall develop and recommend for the President's approval appropriate programs which shall mobilize land development funds from private individual group sources, government financial institutions, joint public-private ventures, and private financial institutions.

SEC. 18. *Land Development Accounting.* The Ministry shall, where deemed necessary, institute a Land Development Accounting System for Urban Zones and designated Bagong Lipunan sites, which shall constitute a record of market transactions and revenues related to Government land acquisition, development and management activities.

SEC. 19. *Public Hearings.* The Ministry through the Human Settlements Regulatory Commission shall, upon proclamation of Urban Zones, conduct public hearings in order to allow the persons affected by said proclamation and related acts, to present their views, grievances and recommendations to the Ministry.

SEC. 20. *Administrative Fines.* Any violation of any provisions of this Decree or any of the rules or regulations issued thereunder shall be subject to the fines not exceeding ten thousand pesos (P10,000) to be imposed by the Ministry through the Human Settlements Regulatory Commission.

SEC. 21. *Penal Provisions.* Any person, firm or corporation who shall violate the provisions of this Decree and/or any rules or regulations issued thereunder shall, upon conviction, be punished by a fine of not more than twenty thousand pesos (P20,000) and/or imprisonment of not more than ten years or both at the discretion of the court, Provided that in the case of a corporation, firm, partnership, or association, the penalty shall be imposed upon its officials for such violation, and in case the guilty party is an alien, he shall immediately be deported after payment of the fine and serving the imprisonment.

Provided further, that every day that the violation shall be carried on or permitted to be carried on shall be considered as a separate offense.

SEC. 22. *Repealing Clause.* All laws, decrees, executive orders, rules and regulations inconsistent herewith are hereby repealed, amended or modified accordingly.

SEC. 23. *Separability Clause.* If, for any reasons, any section or provision of the Decree is hereby declared to be unconstitutional or invalid, the other provisions hereof not affected shall continue in full force and effect.

SEC. 24. *Effectivity.* This Decree shall take effect immediately.

Done in the City of Manila, this 11th day of June, in the year of Our Lord, nineteen hundred and seventy-eight.

(Sgd.) FERDINAND E. MARCOS
President of the Philippines

By the President:

(Sgd.) JACOBO CLAVE
Presidential Executive Assistant

MALACAÑANG
MANILA

PRESIDENTIAL DECREE NO. 1529

AMENDING AND CODIFYING THE LAWS RELATIVE TO
REGISTRATION OF PROPERTY AND FOR OTHER
PURPOSES

WHEREAS, there is a need to update the Land Registration Act and to codify the various laws relative to registration of property, in order to facilitate effective implementation of said laws;

WHEREAS, to strengthen the Torrens system, it is deemed necessary to adopt safeguards to prevent anomalous titling of real property, and to streamline and simplify registration proceedings and the issuance of certificates of title;

WHEREAS, the decrees promulgated relative to the registration of certificates of land transfer and emancipation patents issued pursuant to Presidential Decree No. 27 to hasten the implementation of the land reform program of the country form an integral part of the property registration laws;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Republic of the Philippines, by virtue of the powers vested in me by the Constitution, do hereby order and decree the following:

CHAPTER I

GENERAL PROVISIONS

SECTION 1. *Title of Decree.* This Decree shall be known as the PROPERTY REGISTRATION DECREE.

SEC. 2. *Nature of registration proceedings; jurisdiction of courts.* Judicial proceedings for the registration of lands throughout

the Philippines shall be in rem and shall be based on the generally accepted principles underlying the Torrens system.

Courts of First Instance shall have exclusive jurisdiction over all applications for original registration of title to lands, including improvements and interests therein, and over all petitions filed after original registration of title, with power to hear and determine all questions arising upon such applications or petitions. The court through its clerk of court shall furnish the Land Registration Commission with two certified copies of all pleadings, exhibits, orders, and decisions filed or issued in applications or petitions for land registration, with the exception of stenographic notes, within five days from the filing or issuance thereof.

SEC. 3. *Status of other pre-existing land registration system.* The system of registration under the Spanish Mortgage Law is hereby discontinued and all lands recorded under said system which are not yet covered by Torrens title shall be considered as unregistered lands.

Hereafter, all instruments affecting lands originally registered under the Spanish Mortgage Law may be recorded under Section 113 of this Decree, until the land shall have been brought under the operation of the Torrens system.

The books of registration for unregistered lands provided under Section 194 of the Revised Administrative Code, as amended by Act No. 3344, shall continue to remain in force; provided, that all instruments dealing with unregistered lands shall henceforth be registered under Section 113 of this Decree.

CHAPTER II

THE LAND REGISTRATION COMMISSION AND ITS REGISTRIES OF DEEDS

SEC. 4. *Land Registration Commission.* In order to have a more efficient execution of the laws relative to the registration of lands, geared to the massive and accelerated land reform and social

justice program of the government, there is created a commission to be known as the Land Registration Commission under the executive supervision of the Department of Justice.

SEC. 5. *Officials and employees of the Commission.* The Land Registration Commission shall have a chief and an assistant chief to be known, respectively, as the Commissioner and the Deputy Commissioner of Land Registration who shall be appointed by the President. The Commissioner shall be duly qualified member of the Philippine Bar with at least ten years of practice in the legal profession, and shall have the same rank, compensation and privileges as those of a Judge of the Court of First Instance. The Deputy Commissioner, who shall possess the same qualifications as those required of the Commissioner, shall receive compensation which shall be three thousand pesos per annum less than that of the Commissioner. He shall act as Commissioner of Land Registration during the absence or disability of the Commissioner and when there is a vacancy in the position until another person shall have been designated or appointed in accordance with law. The Deputy Commissioner shall also perform such other functions as the Commissioner may assign to him.

They shall be assisted by such number of division chiefs as may be necessary in the interest of the functioning of the Commission, by a Special Assistant to the Commissioner, and by a Chief Geodetic Engineer who shall each receive compensation at the rate of three thousand four hundred pesos per annum less than that of the Deputy Commissioner.

All other officials and employees of the Land Registration Commission including those of the Registries of Deeds whose salaries are not herein provided, shall receive salaries corresponding to the minimum of their respective upgraded ranges as provided under paragraph 3.1 of Budget Circular No. 273, plus sixty per centum thereof across the board, notwithstanding the maximum salary allowed for their respective civil service eligibilities.

The salaries of officials and employees provided in this Decree shall be without prejudice to such benefits and adjustments as may from time to time be granted by the President or by the legislature to government employees.

All officials and employees of the Commission except Registers of Deeds shall be appointed by the Secretary of Justice upon recommendation of the Commissioner of Land Registration.

SEC. 6. General Functions.

(1) The Commissioner of Land Registration shall have the following functions:

(a) Issue decrees of registration pursuant to final judgments of the courts in land registration proceedings and cause the issuance by the Registers of Deeds of the corresponding certificates of title;

(b) Exercise supervision and control over all Registers of Deeds and other personnel of the Commission;

(c) Resolve cases elevated en consulta by, or on appeal from decision of, Registers of Deeds;

(d) Exercise executive supervision over all clerks of court and personnel of the Courts of First Instance throughout the Philippines with respect to the discharge of their duties and functions in relation to the registration of lands;

(e) Implement all orders, decisions, and decrees promulgated relative to the registration of lands and issue, subject to the approval of the Secretary of Justice, all needful rules and regulations therefor;

(f) Verify and approve subdivision, consolidation, and consolidation-subdivision survey plans of properties titled under Act No. 496 except those covered by P.D. No. 957.

(2) The Land Registration Commission shall have the following functions:

- (a) Extend speedy and effective assistance to the Department of Agrarian Reform, the Land Bank, and other agencies in the implementation of the land reform program of the government;
- (b) Extend assistance to courts in ordinary and cadastral land registration proceedings;
- (c) Be the central repository of records relative to original registration of lands titled under the Torrens system, including subdivision and consolidation plans of titled lands.

SEC. 7. *Office of the Register of Deeds.* There shall be at least one Register of Deeds for each province and one for each city. Every Registry with a yearly average collection of more than sixty thousand pesos during the last three years shall have one Deputy Register of Deeds, and every Registry with a yearly average collection of more than three hundred thousand pesos during the last three years, shall have one Deputy Register of Deeds and one second Deputy Register of Deeds.

The Secretary of Justice shall define the official station and territorial jurisdiction of each Registry upon the recommendation of the Commissioner of Land Registration, with the end in view of making every registry easily accessible to the people of the neighboring municipalities.

The province or city shall furnish a suitable space or building for the office of the Register of Deeds until such time as the same could be furnished out of national funds.

SEC. 8. *Appointment of Registers of Deeds and their Deputies and other subordinate personnel; salaries.* Registers of Deeds shall be appointed by the President of the Philippines upon recommendation

of the Secretary of Justice. Deputy Registers of Deeds and all other subordinate personnel of the Registries of Deeds shall be appointed by the Secretary of Justice upon the recommendation of the Commissioner of Land Registration.

The salaries of Registers of Deeds and their Deputies shall be at the following rates:

(1) First Class Registries The salaries of Registers of Deeds in first class Registries shall be three thousand four hundred pesos per annum less than that of the Deputy Commissioner.

(2) Second Class Registries The salaries of Registers of Deeds in second class Registries shall be three thousand four hundred pesos per annum less than those of Registers of Deeds in first class Registries.

(3) Third Class Registries The salaries of Registers of Deeds in third class Registries shall be three thousand four hundred pesos per annum less than those of Registers of Deeds in second class Registries.

(4) The salaries of Deputy Registers of Deeds and Second Deputy Registers of Deeds shall be three thousand four hundred pesos per annum less than those of their corresponding Registers of Deeds and Deputy Registers of Deeds, respectively.

The Secretary of Justice, upon recommendation of the Commissioner of Land Registration, shall cause the reclassification of Registries based either on work load or the class of province/city, whichever will result in a higher classification, for purposes of salary adjustments in accordance with the rates hereinabove provided.

SEC. 9. Qualifications of Registers of Deeds and Deputy Registers of Deeds. No person shall be appointed Register of Deeds unless he has been admitted to the practice of law in the Philippines and shall have been actually engaged in such practice for at least three years or has been employed for a like period in any branch

of government the functions of which include the registration of property.

The Deputy Register of Deeds shall be a member of the Philippine Bar. Provided, however, that no Register of Deeds or Deputy Register of Deeds holding office as such upon the passage of this Decree shall by reason hereof, be removed from office or be demoted to a lower category or scale of salary except for cause and upon compliance with due process as provided for by law.

SEC. 10. *General functions of Registers of Deeds.* The office of the Register of Deeds constitutes a public repository of records of instruments affecting registered or unregistered lands and chattel mortgages in the province or city wherein such office is situated.

It shall be the duty of the Register of Deeds to immediately register an instrument presented for registration dealing with real or personal property which complies with all the requisites for registration. He shall see to it that said instrument bears the proper documentary and science stamps and that the same are properly canceled. If the instrument is not registerable, he shall forthwith deny registration thereof and inform the presenter of such denial in writing, stating the ground or reason therefor, and advising him of his right to appeal by consulta in accordance with Section 117 of this Decree.

SEC. 11. *Discharge of duties of Register of Deeds in case of vacancy, etc.*

(1) Until a regular Register of Deeds shall have been appointed for a province or city, or in case of vacancy in the office, or upon the occasion of the absence, illness, suspension, or inability of the Register of Deeds to discharge his duties, said duties shall be performed by the following officials, in the order in which they are mentioned below, unless the Secretary of Justice designates another official to act temporarily in his place:

(a) For the province or city where there is a Deputy Register of Deeds, by said Deputy Register of Deeds, or by the second Deputy Register of Deeds, should there be one;

(b) For the province or city where there is no Deputy or second Deputy Register of Deeds, by the Provincial or City Fiscal, or any Assistant Fiscal designated by the Provincial or City Fiscal;

(2) In case of absence, disability or suspension of the Register of Deeds without pay, or in case of vacancy in the position, the Secretary of Justice may, in his discretion, authorize the payment of an additional compensation to the official acting as Register of Deeds, such additional compensation together with his actual salary not to exceed the salary authorized for the position thus filled by him.

(3) In case of a newly-created province or city and pending establishment of a Registry of Deeds and the appointment of a regular Register of Deeds for the new province or city, the Register of Deeds of the mother province or city shall be the ex-officio Register of Deeds for said new province or city.

SEC. 12. *Owner's Index; reports.* There shall be prepared in every Registry an index system which shall contain the names of all registered owners alphabetically arranged. For this purpose, an index card which shall be prepared in the name of each registered owner which shall contain a list of all lands registered in his name.

The Register of Deeds shall submit to the Land Registration Commission within ten days after the month to which they pertain his monthly reports on collections and accomplishments. He shall also submit to the Commission at the end of December of each year, an annual inventory of all titles and instruments in his Registry.

SEC. 13. *Chief Geodetic Engineer.* There shall be a Chief Geodetic Engineer in the Land Registration Commission who shall be the technical adviser of the Commission on all matters involving

surveys and shall be responsible to him for all plats, plans and works requiring the services of a geodetic engineer in said office. He shall perform such other functions as may, from time to time, be assigned to him by the Commissioner.

CHAPTER III

ORIGINAL REGISTRATION

I

ORDINARY REGISTRATION PROCEEDINGS

A. APPLICATIONS

SEC. 14. *Who may apply.* The following persons may file in the proper Court of First Instance an application for registration of title to land, 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 under a bona fide claim of ownership since June 12, 1945, or earlier.
- (2) Those who have acquired ownership of private lands by prescription under the provision of existing laws.
- (3) Those who have acquired ownership of private lands or abandoned river beds by right of accession or accretion under the existing laws.
- (4) 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 his principal may apply for original registration of any land held in trust by him, unless prohibited by the instrument creating the trust.

SEC. 15. *Form and contents.* The application for land registration shall be in writing, signed by the application or the person duly authorized in his behalf, and sworn to before any officer authorized to administer oaths for the province or city where the application was actually signed. If there is more than one applicant, the application shall be signed and sworn to by and in behalf of each. The application shall contain a description of the land and shall state the citizenship and civil status of the applicant, whether single or married, and, if married, the name of the wife or husband, and, if the marriage has been legally dissolved, when and how the marriage relation terminated. It shall also state the full names and addresses of all occupants of the land and those of the adjoining owners, if known, and, if not known, it shall state the extent of the search made to find them.

The application, shall, in form, be substantially as follows:

Republic of the Philippines

Court of First Instance of _____

The undersigned, _____
_____ hereby applies (or apply) to have the land hereinafter described brought under the operation of the Property Registration Decree, and to have the title thereto registered and confirmed:

AND DECLARE

1. That the applicants/s is/are the owners of the land (by virtue of inheritance or deed of sale or conveyance and/or possession in accordance with Section 14 of said Decree), together with the building and improvements thereon, with the exception of the following: _____ which is/are the property of _____ residing at _____. The said land, consisting of _____ parcel/s is/are situated, bounded and described as shown on the plan and technical descriptions attached hereto and made a part hereof, with the following exception _____

2. That said land at the last assessment for taxation was assessed at P ____, Philippine currency, and the buildings and other improvements at P _____, Philippine currency.

3. That to the best of my/our knowledge and belief, there is no mortgage or encumbrance of any kind whatsoever affecting said land, nor any other person having any interest therein, legal or equitable, or in possession, other than as follows: _____

4. That the applicant/s has/have acquired said land in the following manner: _____

(Note: Refer to Sec. 14 of said Decree. State also whether the property is conjugal, paraphernal or exclusive property of the applicant/s)

5. That said land is occupied by the following person: _____

6. That the names in full and addresses, as far as known to the undersigned, of the owners of all adjoining properties, of the persons mentioned in paragraphs 3 and 5, and of the persons shown on the plan as claimants, are as follows: _____

7. That the applicant/s is/are single or married to _____ (Note: if marriage has been legally dissolved, state when and how the marriage relation terminated) _____

8. That the applicant's/s' full name, age, citizenship, residence, and postal address/es is/are as follows: _____

9. That (Note: If the land included in the application is bounded by a public or private way or road, there should be stated in this paragraph whether or not the applicant claims any and what land within the limits of the way or road and whether the applicant desires to have the line of the way or road determined.) _____

10. That the following documents are attached hereto and made a part hereof: _____

Signed at _____ this _____ day of _____, in the year nineteen hundred and _____.

Applicant

(Post Office Address)

REPUBLIC OF THE PHILIPPINES
PROVINCE (OR CITY) OF _____

On this _____ day of _____, 19____ personally appeared before me the above-named _____ known to me to be the person/s who executed the foregoing application

and made oath that the statements therein are true of his/
their knowledge, information and belief.

The Residence Certificate/s _____ of the
applicant/s _____ was/were exhibited to me being
No. _____ issued at _____ dated
_____, 19 _____.

(Notary Public, or other Officer
authorized to administer oaths)
PTR NO. _____

SEC. 16. *Non-resident applicant.* If the applicant is not a resident of the Philippines, he shall file with his application an instrument in due form appointing an agent or representative residing in the Philippines, giving his full name and postal address, and shall therein agree that the service of any legal process in the proceedings under or growing out of the application made upon his agent or representative shall be of the same legal effect as if made upon the applicant within the Philippines. If the agent or representative dies, or leaves the Philippines, the applicant shall forthwith make another appointment for the substitute, and, if he fails to do so the court may dismiss the application.

SEC. 17. *What and where to file.* The application for land registration shall be filed with the Court of First Instance of the province or city where the land is situated. The applicant shall file together with the application all original muniments of titles or copies thereof and a survey plan of the land approved by the Bureau of Lands.

The clerk of court shall not accept any application unless it is shown that the applicant has furnished the Director of Lands with a copy of the application and all annexes.

SEC. 18. *Application covering two or more parcels.* An application may include two or more parcels of land belonging to the applicant/s provided they are situated within the same province or city. The court may at any time order an application to be amended by striking out one or more of the parcels or by a severance of the application.

SEC. 19. *Amendments.* Amendments to the application including joinder, substitution, or discontinuance as to parties may be allowed by the court at any stage of the proceedings upon just and reasonable terms.

Amendments which shall consist in a substantial change in the boundaries or an increase in area of the land applied for or which involve the inclusion of an additional land shall be subject to the same requirements of publication and notice as in an original application.

SEC. 20. *When land applied for borders on road.* If the application describes the land as bounded by a public or private way or road, it shall state whether or not the applicant claims any and what portion of the land within the limits of the way or road, and whether the applicant desires to have the line of the way or road determined.

SEC. 21. *Requirement of additional facts and papers; ocular inspection.* The court may require facts to be stated in the application in addition to those prescribed by this Decree not inconsistent therewith and may require the filing of any additional paper. It may also conduct an ocular inspection, if necessary.

SEC. 22. *Dealings with land pending original registration.* After the filing of the application and before the issuance of the decree of registration, the land therein described may still be the subject of dealings in whole or in part, in which case the interested party shall present to the court the pertinent instruments together with a subdivision plan approved by the Director of Lands in case of transfer of portions thereof and the court, after notice to the parties,

shall order such land registered subject to the conveyance or encumbrance created by said instruments, or order that the decree of registration be issued in the name of the person to whom the property has been conveyed by said instruments.

B. PUBLICATION, OPPOSITION AND DEFAULT

SEC. 23. *Notice of initial hearing, publication, etc.* The court shall, within five days from filing of the application, issue an order setting the date and hour of the initial hearing which shall not be earlier than forty-five days nor later than ninety days from the date of the order.

The public shall be given notice of the initial hearing of the application for land registration by means of (1) publication; (2) mailing; and (3) posting.

1. By publication.

Upon receipt of the order of the court setting the time for initial hearing, the Commissioner of Land Registration shall cause notice of initial hearing to be published once in the Official Gazette and once in a newspaper of general circulation in the Philippines: Provided, however, that the publication in the Official Gazette shall be sufficient to confer jurisdiction upon the court. Said notice shall be addressed to all persons appearing to have an interest in the land involved including the adjoining owners so far as known, and “to all whom it may concern”. Said notice shall also require all persons concerned to appear in court at a certain date and time to show cause why the prayer of said application shall not be granted.

2. By mailing.

(a) Mailing of notice to persons named in the application. The Commissioner of Land Registration shall also, within seven days after publication of said notice in the Official Gazette, as hereinbefore provided, cause a copy of the notice of initial hearing to be mailed to every person named in the notice whose address is known.

(b) Mailing of notice to the Secretary of Public Highways, the Provincial Governor and the Mayor. If the applicant requests to have the line of a public way or road determined, the Commissioner of Land Registration shall cause a copy of said notice of initial hearing to be mailed to the Secretary of Public Highways, to the Provincial Governor, and to the Mayor of the municipality or city, as the case may be, in which the land lies.

(c) Mailing of notice to the Secretary of Agrarian Reform, the Solicitor General, the Director of Lands, the Director of Public Works, the Director of Forest Development, the Director of Mines and the Director of Fisheries and Aquatic Resources. If the land borders on a river, navigable stream or shore, or on an arm of the sea where a river or harbor line has been established, or on a lake, or if it otherwise appears from the application or the proceedings that a tenant-farmer or the national government may have a claim adverse to that of the applicant, notice of the initial hearing shall be given in the same manner to the Secretary of Agrarian Reform, the Solicitor General, the Director of Lands, the Director of Mines and/or the Director of Fisheries and Aquatic Resources, as may be appropriate.

3. By posting.

The Commissioner of Land Registration shall also cause a duly attested copy of the notice of initial hearing to be posted by the sheriff of the province or city, as the case may be, or by his deputy, in a conspicuous place on each parcel of land included in the application and also in a conspicuous place on the bulletin board of the municipal building of the municipality or city in which the land or portion thereof is situated, fourteen days at least before the date of initial hearing.

The court may also cause notice to be served to such other persons and in such manner as it may deem proper.

The notice of initial hearing shall, in form, be substantially as follows:

(Caption and Title)

NOTICE OF INITIAL HEARING

To (here insert the names of all persons appearing to have an interest and the adjoining owners so far as known, and to all whom it may concern):

An application (or petition) having been filed in the above-entitled case by (full name and address) praying for the registration and confirmation (or for the settlement and adjudication, in case of petition in cadastral proceedings) of title to the following described lands:

(Insert description)

You are hereby served this notice to appear before this Court at its session to be held at _____ on the _____ day of _____, 19 _____, at _____ o'clock in the _____ then and there to present such claims as you may have to said lands or any portion thereof, and to submit evidence in support of such claim; and unless you appear at said Court at the time and place aforesaid, your default will be recorded and the title to the lands will be adjudicated and determined in accordance with law and the evidence before the Court, and thereafter you will forever be barred from contesting said application (or petition) or any decree entered thereon.

Witness, the Hon. _____ Judge
of the Court of First Instance of _____ this _____ day of
_____, in the year 19_____.

Attest:

Commissioner of Land Registration

SEC. 24. *Proof of publication and notice.* The certification of the Commissioner of Land Registration and of the sheriff concerned to the effect that the notice of initial hearing, as required by law, has been complied with shall be filed in the case before the date of initial hearing, and shall be conclusive proof of such fact.

SEC. 25. *Opposition to application in ordinary proceedings.* Any person claiming an interest, whether named in the notice or not, may appear and file an opposition on or before the date of initial hearing, or within such further time as may be allowed by the court. The opposition shall state all the objections to the application and shall set forth the interest claimed by the party filing the same and apply for the remedy desired, and shall be signed and sworn to by him or by some other duly authorized person.

If the opposition or the adverse claim of any person covers only a portion of the lot and said portion is not properly delimited on the plan attached to the application, or in case of undivided co-ownership, conflicting claims of ownership or possession, or overlapping of boundaries, the court may require the parties to submit a subdivision plan duly approved by the Director of Lands.

SEC. 26. *Order of default; effect.* If no person appears and answers within the time allowed, the court shall, upon motion of the applicant, no reason to the contrary appearing, order a default to be recorded and require the applicant to present evidence. By the description in the notice "To all Whom It May Concern", all the world are made parties defendant and shall be concluded by the default order.

Where an appearance has been entered and an answer filed, a default order shall be entered against persons who did not appear and answer.

C. HEARING JUDGMENT AND DECREE OF REGISTRATION

SEC. 27. *Speedy hearing; reference to a referee* . The trial court shall see to it that all registration-proceedings are disposed or within ninety days from the date the case is submitted for decision.

The Court, if it deems necessary, may refer the case or any part thereof to a referee who shall hear the parties and their evidence, and the referee shall submit his report thereon to the Court within fifteen days after the termination of such hearing. Hearing before a referee may be held at any convenient place within the province or city as may be fixed by him and after reasonable notice thereof shall have been served the parties concerned. The court may render judgment in accordance with the report as though the facts have been found by the judge himself: Provided, however, that the court may in its discretion accept the report, or set it aside in whole or in part, or order the case to be recommitted for further proceedings:

SEC. 28. *Partial judgment*. In a case where only a portion of the land subject of registration is contested, the court may render partial judgment provided that a subdivision plan showing the contested and uncontested portions approved by the Director of Lands is previously submitted to said court.

SEC. 29. *Judgment confirming title*. All conflicting claims of ownership and interest in the land subject of the application shall be determined by the court. If the court, after considering the evidence and the reports of the Commissioner of Land Registration and the Director of Lands, finds that the applicant or the oppositor has sufficient title proper for registration, judgment shall be rendered confirming the title of the applicant, or the oppositor, to the land or portions thereof.

SEC. 30. *When judgment becomes final; duty to cause issuance of decree*. The judgment rendered in a land registration proceedings becomes final upon the expiration of thirty days to be counted from the data of receipt of notice of the judgment. An appeal may be taken from the judgment of the court as in ordinary civil cases.

After judgment has become final and executory, it shall devolve upon the court to forthwith issue an order in accordance with Section 39 of this Decree to the Commissioner for the issuance of the decree of registration and the corresponding certificate of title in favor of the person adjudged entitled to registration.

SEC. 31. *Decree of registration.* Every decree of registration issued by the Commissioner shall bear the date, hour and minute of its entry, and shall be signed by him. It shall state whether the owner is married or unmarried, and if married, the name of the husband or wife: Provided, however, that if the land adjudicated by the court is conjugal property, the decree shall be issued in the name of both spouses. If the owner is under disability, it shall state the nature of disability, and if a minor, his age. It shall contain a description of the land as finally determined by the court, and shall set forth the estate of the owner, and also, in such manner as to show their relative priorities, all particular estates, mortgages, easements, liens, attachments, and other encumbrances, including rights of tenant-farmers, if any, to which the land or owner's estate is subject, as well as any other matters properly to be determined in pursuance of this Decree.

The decree of registration shall bind the land and quiet title thereto, subject only to such exceptions or liens as may be provided by law. It shall be conclusive upon and against all persons, including the National Government and all branches thereof, whether mentioned by name in the application or notice, the same being included in the general description "To all whom it may concern".

SEC. 32. *Review of decree of registration; Innocent purchaser for value.* The decree of registration shall not be reopened or revised by reason of absence, minority, or other disability of any person adversely affected thereby, nor by any proceeding in any court for reversing judgments, subject, however, to the right of any person, including the government and the branches thereof, deprived of land or of any estate or interest therein by such adjudication or confirmation of title obtained by actual fraud, to file in the proper Court of First Instance a petition for reopening and review of the

decree of registration not later than one year from and after the date of the entry of such decree of registration, but in no case shall such petition be entertained by the court where an innocent purchaser for value has acquired the land or an interest therein, whose rights may be prejudiced. Whenever the phrase “innocent purchaser for value” or an equivalent phrase occurs in this Decree, it shall be deemed to include an innocent lessee, mortgagee, or other encumbrancer for value.

Upon the expiration of said period of one year, the decree of registration and the certificate of title issued shall become incontrovertible. Any person aggrieved by such decree of registration in any case may pursue his remedy by action for damages against the applicant or any other persons responsible for the fraud.

SEC. 33. Appeal from judgment, etc. The judgment and orders of the court hearing the land registration case are appealable to the Court of Appeals or to the Supreme Court in the same manner as in ordinary actions:

SEC. 34. *Rules of procedure.* The Rules of Court shall, insofar as not inconsistent with the provision of this Decree, be applicable to land registration and cadastral cases by analogy or in a supplementary character and whenever practicable and convenient.

II

CADASTRAL REGISTRATION PROCEEDINGS

A. ORDER FOR SPEEDY SETTLEMENT AND ADJUDICATION; SURVEY; NOTICES

Section 35. *Cadastral Survey preparatory to filing of petition.*

- (a) When in the opinion of the President of the Philippines public interest so requires that title to any unregistered lands be settled and adjudicated, he may to this end direct

and order the Director of Lands to cause to be made a cadastral survey of the lands involved and the plans and technical description thereof prepared in due form.

- (b) Thereupon, the Director of Lands shall give notice to persons claiming any interest in the lands as well as to the general public, of the day on which such survey will begin, giving as fully and accurately as possible the description of the lands to be surveyed. Such notice shall be published once in the Official Gazette, and a copy of the notice in English or the national language shall be posted in a conspicuous place on the bulletin board of the municipal building of the municipality in which the lands or any portion thereof is situated. A copy of the notice shall also be sent to the mayor of such municipality as well as to the barangay captain and likewise to the Sangguniang Panlalawigan and the Sangguniang Bayan concerned.
- (c) The Geodetic Engineers or other employees of the Bureau of Lands in charge of the survey shall give notice reasonably in advance of the date on which the survey of any portion of such lands is to begin, which notice shall be posted in the bulletin board of the municipal building of the municipality or barrio in which the lands are situated, and shall mark the boundaries of the lands by monuments set up in proper places thereon. It shall be lawful for such Geodetic Engineers and other employees to enter upon the lands whenever necessary for the purposes of such survey or the placing of monuments.
- (d) It shall be the duty of every person claiming an interest in the lands to be surveyed, or in any parcel thereof, to communicate with the Geodetic Engineer upon his request therefor all information possessed by such person concerning the boundary lines of any lands to which he claims title or in which he claims any interest.

- (e) Any person who shall willfully obstruct the making of any survey undertaken by the Bureau of Lands or by a licensed Geodetic Engineer duly authorized to conduct the survey under this Section, or shall maliciously interfere with the placing of any monument or remove such monument, or shall destroy or remove any notice of survey posted on the land pursuant to law, shall be punished by a fine of not more than one thousand pesos or by imprisonment for not more than one year, or both.

B. PETITION; LOT NUMBERS

SEC. 36. *Petition for registration.* When the lands have been surveyed or plotted, the Director of Lands, represented by the Solicitor General, shall institute original registration proceedings by filing the necessary petition in the Court of First Instance of the place where the land is situated against the holders, claimants, possessors, or occupants of such lands or any part thereof, stating in substance that public interest requires that the title to such lands be settled and adjudicated and praying that such titles be so settled and adjudicated:

The petition shall contain a description of the lands and shall be accompanied by a plan thereof, and may contain such other data as may serve to furnish full notice to the occupants of the lands and to all persons who may claim any right or interest therein.

Where the land consists of two or more parcels held or occupied by different persons, the plan shall indicate the boundaries or limits of the various parcels as accurately as possible. The parcels shall be known as “lots” and shall on the plan filed in the case be given separate numbers by the Director of Lands, which numbers shall be known as “cadastral lot numbers”. The lots situated within each municipality shall, as far as practicable, be numbered consecutively beginning with number “one”, and only one series of numbers shall be used for that purpose in each municipality. However in cities or townsites, a designation of the landholdings by blocks and lot

numbers may be employed instead of the designation by cadastral lot numbers.

The cadastral number of a lot shall not be changed after final decision has been entered decreasing the registration thereof, except by order of court. Future subdivisions of any lot shall be designated by a letter or letters of the alphabet added to the cadastral number of the lot to which the respective subdivisions pertain. The letter with which a subdivision is designated shall be known as its "cadastral letter": Provided, however, that the subdivisions of cities or townsites may be designated by blocks and lot numbers.

C. ANSWER

SEC. 37. *Answer to petition in cadastral proceedings.* Any claimant in cadastral proceedings, whether named in the notice or not, shall appear before the court by himself or by some other authorized person in his behalf, and shall file an answer on or before the date of initial hearing or within such further time as may be allowed by the court. The answer shall be signed and sworn to by the claimant or by some other authorized person in his behalf, and shall state whether the claimant is married or unmarried, and if married, the name of the spouse and the date of marriage, his nationality, residence and postal address, and shall also contain:

(a) The age of the claimant;

(b) The cadastral number of the lot or lots claimed, as appearing on the plan filed in the case by the Director of Lands, or the block and lot numbers, as the case may be;

(c) The name of the barrio and municipality in which the lots are situated;

(d) The names and addresses of the owners of the adjoining lots so far as known to the claimant;

(e) If the claimant is in possession of the lots claimed and can show no express grant of the land by the government to him or to his predecessors-in-interest, the answer shall state the length of time he has held such possession and the manner in which it has been acquired, and shall also state the length of time, as far as known, during which the predecessors, if any, held possession;

(f) If the claimant is not in possession or occupation of the land, the answer shall fully set forth the interest claimed by him and the time and manner of his acquisition;

(g) if the lots have been assessed for taxation, their last assessed value; and

(h) The encumbrances, if any, affecting the lots and the names of adverse claimants, as far as known.

D. HEARING; JUDGMENT; DECREE

SEC. 38. *Hearing, Judgment, Decree.* The trial of the case may occur at any convenient place within the province in which the lands are situated and shall be conducted, and orders for default and confessions entered, in the same manner as in ordinary land registration proceedings and shall be governed by the same rules. All conflicting interests shall be adjudicated by the court and decrees awarded in favor of the persons entitled to the lands or to parts thereof and such decrees shall be the basis for issuance of original certificates of title in favor of said persons and shall have the same effect as certificates of title granted on application for registration of land under ordinary land registration proceedings.

CHAPTER IV

CERTIFICATE OF TITLE

SEC. 39. *Preparation of decree and Certificate of Title.* After the judgment directing the registration of title to land has become final, the court shall, within fifteen days from entry of judgment, issue an order directing the Commissioner to issue the corresponding decree of registration and certificate of title. The clerk of court shall send, within fifteen days from entry of judgment, certified copies of the judgment and of the order of the court directing the Commissioner to issue the corresponding decree of registration and certificate of title, and a certificate stating that the decision has not been amended, reconsidered, nor appealed, and has become final. Thereupon, the Commissioner shall cause to be prepared the decree of registration as well as the original and duplicate of the corresponding original certificate of title. The original certificate of title shall be a true copy of the decree of registration. The decree of registration shall be signed by the Commissioner, entered and filed in the Land Registration Commission. The original of the original certificate of title shall also be signed by the Commissioner and shall be sent, together with the owner's duplicate certificate, to the Register of Deeds of the city or province where the property is situated for entry in his registration book.

SEC. 40. *Entry of Original Certificate of Title.* Upon receipt by the Register of Deeds of the original and duplicate copies of the original certificate of title the same shall be entered in his record book and shall be numbered, dated, signed and sealed by the Register of Deeds with the seal of his office. Said certificate of title shall take effect upon the date of entry thereof. The Register of Deeds shall forthwith send notice by mail to the registered owner that his owner's duplicate is ready for delivery to him upon payment of legal fees.

SEC. 41. *Owner's duplicate certificate of title.* The owner's duplicate certificate of title shall be delivered to the registered

owner or to his duly authorized representative. If two or more persons are registered owners, one owner's duplicate certificate may be issued for the whole land, or if the co-owners so desire, a separate duplicate may be issued to each of them in like form, but all outstanding certificates of title so issued shall be surrendered whenever the Register of Deeds shall register any subsequent voluntary transaction affecting the whole land or part thereof or any interest therein. The Register of Deeds shall note on each certificate of title a statement as to whom a copy thereof was issued.

SEC. 42. *Registration Books.* The original copy of the original certificate of title shall be filed in the Registry of Deeds. The same shall be bound in consecutive order together with similar certificates of title and shall constitute the registration book for titled properties.

SEC. 43. *Transfer Certificate of Title.* The subsequent certificate of title that may be issued by the Register of Deeds pursuant to any voluntary or involuntary instrument relating to the same land shall be in like form, entitled "Transfer Certificate of Title", and likewise issued in duplicate. The certificate shall show the number of the next previous certificate covering the same land and also the fact that it was originally registered, giving the record number, the number of the original certificate of title, and the volume and page of the registration book in which the latter is found.

SEC. 44. *Statutory liens affecting title.* Every registered owner receiving a certificate of title in pursuance of a decree of registration, and every subsequent purchaser of registered land taking a certificate of title for value and in good faith, shall hold the same free from all encumbrances except those noted in said certificate and any of the following encumbrances which may be subsisting, namely:

First. Liens, claims or rights arising or existing under the laws and Constitution of the Philippines which are not by law required to appear of record in the Registry of Deeds in order to be valid against subsequent purchasers or encumbrancers of record.

Second. Unpaid real estate taxes levied and assessed within two years immediately preceding the acquisition of any right over the land by an innocent purchaser for value, without prejudice to the right of the government to collect taxes payable before that period from the delinquent taxpayer alone.

Third. Any public highway or private way established or recognized by law, or any government irrigation canal or lateral thereof, if the certificate of title does not state that the boundaries of such highway or irrigation canal or lateral thereof have been determined.

Fourth. Any disposition of the property or limitation on the use thereof by virtue of, or pursuant to, Presidential Decree No. 27 or any other law or regulations on agrarian reform.

SEC. 45. *Statement of personal circumstances in the certificate.* Every certificate of title shall set forth the full names of all persons whose interests make up the full ownership in the whole land, including their civil status, and the names of their respective spouses, if married, as well as their citizenship, residence and postal address. If the property covered belongs to the conjugal partnership, it shall be issued in the names of both spouses.

SEC. 46. *General incidents of registered land.* Registered land shall be subject to such burdens and incidents as may arise by operation of law. Nothing contained in this decree shall in any way be construed to relieve registered land or the owners thereof from any rights incident to the relation of husband and wife, landlord and tenant, or from liability to attachment or levy on execution, or from liability to any lien of any description established by law on the land and the buildings thereon, or on the interest of the owner in such land or buildings, or to change the laws of descent, or the rights of partition between co-owners, or the right to take the same by eminent domain, or to relieve such land from liability to be recovered by an assignee in insolvency or trustee in bankruptcy

under the laws relative to preferences, or to change or affect in any way other rights or liabilities created by law and applicable to unregistered land, except as otherwise provided in this Decree.

SEC. 47. *Registered land not subject to prescriptions.* No title to registered land in derogation of the title of the registered owner shall be acquired by prescription or adverse possession.

SEC. 48. *Certificate not subject to collateral attack.* A certificate of title shall not be subject to collateral attack. It cannot be altered, modified, or canceled except in a direct proceeding in accordance with law.

SEC. 49. *Splitting, or consolidation of titles.* A registered owner of several distinct parcels of land embraced in and covered by a certificate of title desiring in lieu thereof separate certificates, each containing one or more parcels, may file a written request for that purpose with the Register of Deeds concerned, and the latter, upon the surrender of the owner's duplicate, shall cancel it together with its original and issue in lieu thereof separate certificates as desired. A registered owner of several distinct parcels of land covered by separate certificates of title desiring to have in lieu thereof a single certificate for the whole land, or several certificates for the different parcels thereof, may also file a written request with the Register of Deeds concerned, and the latter, upon the surrender of the owner's duplicates, shall cancel them together with their originals, and issue in lieu thereof one or separate certificates as desired.

SEC. 50. *Subdivision and consolidation plans.* Any owner subdividing a tract of registered land into lots which do not constitute a subdivision project as defined and provided for under P.D. No. 957, shall file with the Commissioner of Land Registration or with the Bureau of Lands a subdivision plan of such land on which all boundaries, streets, passageways and waterways, if any, shall be distinctly and accurately delineated.

If a subdivision plan, be it simple or complex, duly approved by the Commissioner of Land Registration or the Bureau of Lands together with the approved technical descriptions and the corresponding owner's duplicate certificate of title is presented for registration, the Register of Deeds shall, without requiring further court approval of said plan, register the same in accordance with the provisions of the Land Registration Act, as amended: Provided, however, that the Register of Deeds shall annotate on the new certificate of title covering the street, passageway or open space, a memorandum to the effect that except by way of donation in favor of the national government, province, city or municipality, no portion of any street, passageway, waterway or open space so delineated on the plan shall be closed or otherwise disposed of by the registered owner without the approval of the Court of First Instance of the province or city in which the land is situated.

A registered owner desiring to consolidate several lots into one or more, requiring new technical descriptions, shall file with the Land Registration Commission, a consolidation plan on which shall be shown the lots to be affected, as they were before, and as they will appear after the consolidation. Upon the surrender of the owner's duplicate certificates and the receipt of consolidation plan duly approved by the Commission, the Register of Deeds concerned shall cancel the corresponding certificates of title and issue a new one for the consolidated lots.

The Commission may not order or cause any change, modification, or amendment in the contents of any certificate of title, or of any decree or plan, including the technical description therein, covering any real property registered under the Torrens system, nor order the cancellation of the said certificate of title and the issuance of a new one which would result in the enlargement of the area covered by the certificate of title.

CHAPTER V

SUBSEQUENT REGISTRATION

I

VOLUNTARY DEALINGS WITH REGISTERED LANDS

GENERAL PROVISIONS

SEC. 51. *Conveyance and other dealings by registered owner.* An owner of registered land may convey, mortgage, lease, charge or otherwise deal with the same in accordance with existing laws. He may use such forms of deeds, mortgages, leases or other voluntary instruments as are sufficient in law. But no deed, mortgage, lease, or other voluntary instrument, except a will purporting to convey or affect registered land shall take effect as a conveyance or bind the land, but shall operate only as a contract between the parties and as evidence of authority to the Register of Deeds to make registration.

The act of registration shall be the operative act to convey or affect the land insofar as third persons are concerned, and in all cases under this Decree, the registration shall be made in the office of the Register of Deeds for the province or city where the land lies.

SEC. 52. *Constructive notice upon registration.* Every conveyance, mortgage, lease, lien, attachment, order, judgment, instrument or entry affecting registered land shall, if registered, filed or entered in the office of the Register of Deeds for the province or city where the land to which it relates lies, be constructive notice to all persons from the time of such registering, filing or entering.

SEC. 53. *Presentation of owner's duplicate upon entry of new certificate.* No voluntary instrument shall be registered by the Register of Deeds, unless the owner's duplicate certificate is presented with such instrument, except in cases expressly provided for in this Decree or upon order of the court, for cause shown.

The production of the owner's duplicate certificate, whenever any voluntary instrument is presented for registration, shall be conclusive authority from the registered owner to the Register of Deeds to enter a new certificate or to make a memorandum of registration in accordance with such instrument, and the new certificate or memorandum shall be binding upon the registered owner and upon all persons claiming under him, in favor of every purchaser for value and in good faith.

In all cases of registration procured by fraud, the owner may pursue all his legal and equitable remedies against the parties to such fraud without prejudice, however, to the rights of any innocent holder for value of a certificate of title. After the entry of the decree of registration on the original petition or application, any subsequent registration procured by the presentation of a forged duplicate certificate of title, or a forged deed or other instrument, shall be null and void.

SEC. 54. *Dealings less than ownership, how registered.* No new certificate shall be entered or issued pursuant to any instrument which does not divest the ownership or title from the owner or from the transferee of the registered owners. All interests in registered land less than ownership shall be registered by filing with the Register of Deeds the instrument which creates or transfers or claims such interests and by a brief memorandum thereof made by the Register of Deeds upon the certificate of title, and signed by him. A similar memorandum shall also be made on the owner's duplicate. The cancellation or extinguishment of such interests shall be registered in the same manner.

SEC. 55. *Grantee's name, nationality, etc., to be stated.* Every deed or other voluntary instrument presented for registration shall contain or have endorsed upon it the full name, nationality, residence and postal address of the grantee or other person acquiring or claiming an interest under such instrument, and every deed shall also state whether the grantee is married or unmarried, and if married, the name in full of the husband or wife. If the grantee is

a corporation or association, the instrument must contain a recital to show that such corporation or association is legally qualified to acquire private lands. Any change in the residence or postal address of such person shall be endorsed by the Register of Deeds on the original copy of the corresponding certificate of title, upon receiving a sworn statement of such change. All names and addresses shall also be entered on all certificates.

Notices and processed issued in relation to registered land in pursuance of this Decree may be served upon any person in interest by mailing the same to the addresses given, and shall be binding, whether such person resides within or without the Philippines, but the court may, in its discretion, require further or other notice to be given in any case, if in its opinion the interest of justice so requires.

SEC. 56. *Primary Entry Book; fees; certified copies.* Each Register of Deeds shall keep a primary entry book in which, upon payment of the entry fee, he shall enter, in the order of their reception, all instruments including copies of writs and processes filed with him relating to registered land. He shall, as a preliminary process in registration, note in such book the date, hour and minute of reception of all instruments, in the order in which they were received. They shall be regarded as registered from the time so noted, and the memorandum of each instrument, when made on the certificate of title to which it refers, shall bear the same date: Provided, that the national government as well as the provincial and city governments shall be exempt from the payment of such fees in advance in order to be entitled to entry and registration.

Every deed or other instrument, whether voluntary or involuntary, so filed with the Register of Deeds shall be numbered and indexed and endorsed with a reference to the proper certificate of title. All records and papers relative to registered land in the office of the Register of Deeds shall be open to the public in the same manner as court records, subject to such reasonable regulations as the Register of Deeds, under the direction of the Commissioner of Land Registration, may prescribe.

All deeds and voluntary instruments shall be presented with their respective copies and shall be attested and sealed by the Register of Deeds, endorsed with the file number, and copies may be delivered to the person presenting them.

Certified copies of all instruments filed and registered may also be obtained from the Register of Deeds upon payment of the prescribed fees.

(A) CONVEYANCES AND TRANSFERS

SEC. 57. *Procedure in registration of conveyances.* An owner desiring to convey his registered land in fee simple shall execute and register a deed of conveyance in a form sufficient in law. The Register of Deeds shall thereafter make out in the registration book a new certificate of title to the grantee and shall prepare and deliver to him an owner's duplicate certificate. The Register of Deeds shall note upon the original and duplicate certificate the date of transfer, the volume and page of the registration book in which the new certificate is registered and a reference by number to the last preceding certificate. The original and the owner's duplicate of the grantor's certificate shall be stamped "canceled". The deed of conveyance shall be filled and indorsed with the number and the place of registration of the certificate of title of the land conveyed.

SEC. 58. *Procedure where conveyance involves portion of land.* If a deed or conveyance is for a part only of the land described in a certificate of title, the Register of Deeds shall not enter any transfer certificate to the grantee until a plan of such land showing all the portions or lots into which it has been subdivided and the corresponding technical descriptions shall have been verified and approved pursuant to Section 50 of this Decree. Meanwhile, such deed may only be annotated by way of memorandum upon the grantor's certificate of title, original and duplicate, said memorandum to serve as a notice to third persons of the fact that certain unsegregated portion of the land described therein has been conveyed, and every certificate with such memorandum shall be effectual for the purpose of showing the grantee's title to the portion

conveyed to him, pending the actual issuance of the corresponding certificate in his name.

Upon the approval of the plan and technical descriptions, the original of the plan, together with a certified copy of the technical descriptions shall be filed with the Register of Deeds for annotation in the corresponding certificate of title and thereupon said officer shall issue a new certificate of title to the grantee for the portion conveyed, and at the same time cancel the grantor's certificate partially with respect only to said portion conveyed, or, if the grantor so desires, his certificate may be canceled totally and a new one issued to him describing therein the remaining portion: Provided, however, that pending approval of said plan, no further registration or annotation of any subsequent deed or other voluntary instrument involving the unsegregated portion conveyed shall be effected by the Register of Deeds, except where such unsegregated portion was purchased from the Government or any of its instrumentalities. If the land has been subdivided into several lots, designated by numbers or letters, the Register of Deeds may, if desired by the grantor, instead of canceling the latter's certificate and issuing a new one to the same for the remaining unconveyed lots, enter on said certificate and on its owner's duplicate a memorandum of such deed of conveyance and of the issuance of the transfer certificate to the grantee for the lot or lots thus conveyed, and that the grantor's certificate is canceled as to such lot or lots.

SEC. 59. *Carry over of encumbrances.* If, at the time of any transfer, subsisting encumbrances or annotations appear in the registration book, they shall be carried over and stated in the new certificate or certificates; except so far as they may be simultaneously released or discharged.

(B) MORTGAGES AND LEASES

SEC. 60. *Mortgage or lease of registered land.* Mortgage and leases shall be registered in the manner provided in Section 54 of this Decree. The owner of registered land may mortgage or lease it by executing the deed in a form sufficient in law. Such deed

of mortgage or lease and all instruments which assign, extend, discharge or otherwise deal with the mortgage or lease shall be registered, and shall take effect upon the title only from time of registration.

No mortgagee's or lessee's duplicate certificate of title shall hereafter be issued by the Registers of Deeds, and those issued prior to the effectivity of this Decree are hereby deemed canceled and the holders thereof shall immediately surrender the same to the Register of Deeds concerned.

SEC. 61. *Registration.* Upon presentation for registration of the deed of mortgage or lease together with the owner's duplicate, the Register of Deeds shall enter upon the original of the certificate of title and also upon the owner's duplicate certificate a memorandum thereof, the date and time of filing and the file number assigned to the deed, and shall sign the said memorandum. He shall also note on the deed the date and time of filing and a reference to the volume and page of the registration book in which it is registered.

SEC. 62. *Discharge or cancellation.* A mortgage or lease on registered land may be discharged or canceled by means of an instrument executed by the mortgage or lessee in a form sufficient in law, which shall be filed with the Register of Deeds who shall make the appropriate memorandum upon the certificate of title.

SEC. 63. *Foreclosure of Mortgage.* (a) If the mortgage was foreclosed judicially, a certified copy of the final order of the court confirming the sale shall be registered with the Register of Deeds. If no right of redemption exists, the certificate of title of the mortgagor shall be canceled, and a new certificate issued in the name of the purchaser.

Where the right of redemption exists, the certificate of title of the mortgagor shall not be canceled, but the certificate of sale and the order confirming the sale shall be registered by a brief memorandum thereof made by the Register of Deeds upon the certificate of title. In the event the property is redeemed, the certificate or deed of

redemption shall be filed with the Register of Deeds, and a brief memorandum thereof shall be made by the Register of Deeds on the certificate of title of the mortgagor.

If the property is not redeemed, the final deed of sale executed by the sheriff in favor of the purchaser at a foreclosure sale shall be registered with the Register of Deeds; whereupon the title of the mortgagor shall be canceled, and a new certificate issued in the name of the purchaser.

(b) If the mortgage was foreclosed extrajudicially, a certificate of sale executed by the officer who conducted the sale shall be filed with the Register of Deeds who shall make a brief memorandum thereof on the certificate of title.

In the event of redemption by the mortgagor, the same rule provided for in the second paragraph of this section shall apply.

In case of non-redemption, the purchaser at foreclosure sale shall file with the Register of Deeds, either a final deed of sale executed by the person authorized by virtue of the power of attorney embodied in the deed of mortgage, or his sworn statement attesting to the fact of non-redemption; whereupon, the Register of Deeds shall issue a new certificate in favor of the purchaser after the owner's duplicate of the certificate has been previously delivered and canceled.

(C) POWERS OF ATTORNEY; TRUSTS

SEC. 64. *Power of attorney.* Any person may, by power of attorney, convey or otherwise deal with registered land and the same shall be registered with the Register of Deeds of the province or city where the land lies. Any instrument revoking such power of attorney shall be registered in like manner.

SEC. 65. *Trusts in registered land.* If a deed or other instrument is filed in order to transfer registered land in trust, or upon any equitable condition or limitation expressed therein, or to

create or declare a trust or other equitable interests in such land without transfer, the particulars of the trust, condition, limitation or other equitable interest shall not be entered on the certificate; but only a memorandum thereof shall be entered by the words "in trust", or "upon condition", or other apt words, and by a reference by number to the instrument authorizing or creating the same. A similar memorandum shall be made upon the original instrument creating or declaring the trust or other equitable interest with a reference by number to the certificate of title to which it relates and to the volume and page in the registration book in which it is registered.

SRC. 66. *Trust with power of sale, etc., how expressed.* If the instrument creating or declaring a trust or other equitable interest contains an express power to sell, mortgage or deal with the land in any manner, such power shall be stated in the certificate of title by the words "with power to sell", or "power to mortgage", or by apt words of description in case of other powers. No instrument which transfers, mortgages or in any way deals with registered land in trust shall be registered, unless the enabling power thereto is expressly conferred in the trust instrument, or unless a final judgment or order of a court of competent jurisdiction has construed the instrument in favor of the power, in which case a certified copy of such judgment or order may be registered.

SEC. 67. *Judicial appointment of new trustee.* If a new trustee of registered land is appointed by a court of competent jurisdiction, a new certificate may be issued to him upon presentation to the Register of Deeds of a certified copy of the order or judicial appointment and the surrender for cancellation of the duplicate certificate.

SEC. 68. *Implied, trusts, how established.* Whoever claims an interest in registered land by reason of any implied or constructive trust shall file for registration with the Register of Deeds a sworn statement thereof containing a description of the land, the name of the registered owner and a reference to the number of the certificate

of title. Such claim shall not affect the title of a purchaser for value and in good faith before its registration.

II

INVOLUNTARY DEALINGS

SEC. 69. *Attachments.* An attachment, or a copy of any writ, order or process issued by a court of record, intended to create or preserve any lien, status, right, or attachment upon registered land, shall be filed and registered in the Registry of Deeds for the province or city in which the land lies, and, in addition to the particulars required in such papers for registration, shall contain a reference to the number of the certificate of title to be affected and the registered owner or owners thereof, and also if the attachment, order, process or lien is not claimed on all the land in any certificate of title a description sufficiently accurate for identification of the land or interest intended to be affected. A restraining order, injunction or mandamus issued by the court shall be entered and registered on the certificate of title affected, free of charge.

SEC. 70. *Adverse claim.* Whoever claims any part or interest in registered land adverse to the registered owner, arising subsequent to the date of the original registration, may, if no other provision is made in this Decree for registering the same, make a statement in writing setting forth fully his alleged right or interest, and how or under whom acquired, a reference to the number of the certificate of title of the registered owner, the name of the registered owner, and a description of the land in which the right or interest is claimed.

The statement shall be signed and sworn to, and shall state the adverse claimant's residence, and a place at which all notices may be served upon him. This statement shall be entitled to registration as an adverse claim on the certificate of title. The adverse claim shall be effective for a period of thirty days from the date of registration. After the lapse of said period, the annotation of adverse claim may be canceled upon filing of a verified petition therefor by the party in interest: Provided, however, that after cancellation, no second

adverse claim based on the same ground shall be registered by the same claimant.

Before the lapse of thirty days aforesaid, any party in interest may file a petition in the Court of First Instance where the land is situated for the cancellation of the adverse claim, and the court shall grant a speedy hearing upon the question of the validity of such adverse claim, and shall render judgment as may be just and equitable. If the adverse claim is adjudged to be invalid, the registration thereof shall be ordered canceled. If, in any case, the court, after notice and hearing, shall find that the adverse claim thus registered was frivolous, it may fine the claimant in an amount not less than one thousand pesos nor more than five thousand pesos, in its discretion. Before the lapse of thirty days, the claimant may withdraw his adverse claim by filing with the Register of Deeds a sworn petition to that effect.

SEC. 71. *Surrender of certificate in involuntary dealings.* If an attachment or other lien in the nature of involuntary dealing in registered land is registered, and the duplicate certificate is not presented at the time of registration, the Register of Deeds shall, within thirty-six hours thereafter, send notice by mail to the registered owner, stating that such paper has been registered, and requesting him to send or produce his duplicate certificate so that a memorandum of the attachment or other lien may be made thereon. If the owner neglects or refuses to comply within a reasonable time, the Register of Deeds shall report the matter to the court, and it shall, after notice, enter an order to the owner, to produce his certificate at a time and place named therein, and may enforce the order by suitable process.

SEC. 72. *Dissolution, etc. of attachments, etc.* Attachments and liens of every description upon registered land shall be continued, reduced, discharged and dissolved by any method sufficient in law, and to give effect to the continuance, reduction, discharge or dissolution thereof the certificate or other instrument for that purpose shall be registered with the Register of Deeds.

SEC. 73. Registration of orders of court, etc. If an attachment is continued, reduced, dissolved, or otherwise affected by an order, decision or judgment of the court where the action or proceedings in which said attachment was made is pending or by an order of a court having jurisdiction thereof, a certificate of the entry of such order, decision or judgment from the clerk of court or the judge by which such decision, order or judgment has been rendered and under the seal of the court, shall be entitled to be registered upon presentation to the Register of Deeds.

SEC. 74. *Enforcement of liens on registered land.* Whenever registered land is solved on execution, or taken or sold for taxes or for any assessment or to enforce a lien of any character, or for any costs and charges incident to such liens, any execution or copy of execution, any officer's return, or any deed, demand, certificate, or affidavit, or other instrument made in the course of the proceedings to enforce such liens and required by law to be recorded, shall be filed with the Register of Deeds of the province or city where the land lies and registered in the registration book, and a memorandum made upon the proper certificate of title in each case as lien or encumbrance.

SEC. 75. *Application for new certificate upon expiration of redemption period.* Upon the expiration of the time, if any, allowed by law for redemption after registered land has been sold on execution taken or sold for the enforcement of a lien of any description, except a mortgage lien, the purchaser at such sale or anyone claiming under him may petition the court for the entry of a new certificate of title to him.

Before the entry of a new certificate of title, the registered owner may pursue all legal and equitable remedies to impeach or annul such proceedings.

SEC. 76. *Notice of lis pendens.* No action to recover possession of real estate, or to quiet title thereto, or to remove clouds upon the title thereof, or for partition, or other proceedings of any kind in court directly affecting the title to land or the use or occupation

thereof or the buildings thereon, and no judgment, and no proceeding to vacate or reverse any judgment, shall have any effect upon registered land as against persons other than the parties thereto, unless a memorandum or notice stating the institution of such action or proceeding and the court wherein the same is pending, as well as the date of the institution thereof, together with a reference to the number of the certificate of title, and an adequate description of the land affected and the registered owner thereof, shall have been filed and registered.

SEC. 77. *Cancellation of lis pendens.* Before final judgment, a notice of lis pendens may be canceled upon order of the court, after proper showing that the notice is for the purpose of molesting the adverse party, or that it is not necessary to protect the rights of the party who caused it to be registered. It may also be canceled by the Register of Deeds upon verified petition of the party who caused the registration thereof.

At any time after final judgment in favor of the defendant, or other disposition of the action such as to terminate finally all rights of the plaintiff in and to the land and/or buildings involved, in any case in which a memorandum or notice of lis pendens has been registered as provided in the preceding section, the notice of lis pendens shall be deemed canceled upon the registration of a certificate of the clerk of court in which the action or proceeding was pending stating the manner of disposal thereof.

CHAPTER VI

REGISTRATION OF JUDGMENTS; ORDERS; PARTITIONS

SEC. 78. *Judgment for Plaintiff.* Whenever in any action to recover possession or ownership of real estate or any interest therein affecting registered land judgment is entered for the plaintiff, such judgment shall be entitled to registration on presentation of a certificate of the entry thereof from the clerk of court where the action is pending to the Register of Deeds for the province or city where the land lies, who shall enter a memorandum upon the

certificate of title of the land to which such judgment relates. If the judgment does not apply to all the land described in the certificate of title, the certificate of the clerk of the court where the action is pending and the memorandum entered by the Register of Deeds shall contain a description of the land affected by the judgment.

SEC. 79. *Judgment adjudicating ownership.* When in any action to recover the ownership of real estate or an interest therein execution has been issued in favor of the plaintiff, the latter shall be entitled to the entry of a new certificate of title and to the cancellation of the original certificate and owner's duplicate of the former registered owner. If the registered owner neglects or refuses within a reasonable time after request of the plaintiff to produce his duplicate certificate in order that the same may be canceled, the court shall, on application and after notice, enter an order to the owner to produce his certificate at the time and place designated, and may enforce the order by suitable process.

SEC. 80. *Execution of deed by virtue of judgment.* Every court rendering judgment in favor of the plaintiff affecting registered land shall, upon petition of said plaintiff, order and parties before it to execute for registration any deed or instrument necessary to give effect to the judgment, and shall require the registered owner to deliver his duplicate certificate to the plaintiff or to the Register of Deeds to be canceled or to have a memorandum annotated upon it. In case the person required to execute any deed or other instrument necessary to give effect to the judgment is absent from the Philippines, or is a minor, or insane, or for any reason not amenable to the process of the court rendering the judgment, said court may appoint a suitable person as trustee to execute such instrument which, when executed, shall be entitled to registration.

SEC. 81. *Judgment of partition.* In proceedings for partition of registered land, after the entry of the final judgment of partition, a copy of such final judgment, certified by the clerk of the court rendering the same, shall be filed and registered; thereupon, if the land is set off to the owners in severalty, each owner shall be entitled

to have his certificate entered showing the share set off to him in severalty, and to receive an owner's duplicate thereof.

If the land is ordered by the court to be sold, the purchaser or his assigns shall be entitled to certificate of title entered in his or their favor upon presenting a certified copy of the judgment confirming the sale.

In case the land is ordered by the court to be assigned to one of the parties upon payment to the others of the sum ordered by the court, the party to whom the land is thus assigned shall be entitled to have a certificate of title entered in his favor upon presenting a certified copy of the judgment: Provided, however, that any new certificate entered in pursuance of partition proceedings, whether by way of set-off or of assignment or of sale, shall contain a reference memorandum to the final judgment of partition, and shall be conclusive as to the title to the same extent and against the same persons as such judgment is made conclusive by the laws applicable thereto: and provided, further, that any person holding such certificate of title or a transfer thereof shall have the right to petition the court at any time to cancel the memorandum relating to such judgment or order and the court, after notice and hearing, may grant the petition. Such certificate shall thereafter be conclusive in the same manner and to the same extent as other certificates of title.

SEC. 82. Registration of prior registered mortgaged or lease on partitioned property. If a certified copy of a final judgment or decree of partition is presented and it appears that a mortgage or lease affecting a specific portion or an undivided share of the premises had previously been registered, the Register of Deeds shall carry over such encumbrance on the certificate of title that may be issued.

SEC. 83. Notice of insolvency. Whenever proceeding in bankruptcy or insolvency, or analogous proceedings, are instituted against a debtor who owns registered land, it shall be the duty of the officer serving the notice of the institution of such proceedings on the debtor to file a copy thereof with the office of the Register of

Deeds for the province or city where the land of the debtor lies. The assignee or trustee appointed by the court in such proceedings shall be entitled to the entry of a new certificate of the registered land of the debtor or bankrupt, upon presenting and filing a certified copy of the assignment in insolvency or order or adjudication in bankruptcy with the insolvent's or bankrupt's duplicate certificate of title; but the new certificate shall state that it is entered to him as assignee in insolvency or trustee in bankruptcy or other proceedings, as the case may be.

SEC. 84. *Judgment or order vacating insolvency proceedings.* Whenever any of the proceedings of the character named in the preceding section against a registered owner, of which notice has been registered, is vacated by judgment, a certified copy of the judgment or order may be registered. Where a new certificate has been entered in the name of the assignee or trustee, such certificate shall be surrendered for cancellation and forthwith the debtor shall be entitled to the entry of a new certificate to him.

SEC. 85. *Land taken by eminent domain.* Whenever any registered land, or interest therein, is expropriated or taken by eminent domain, the National Government, province, city, municipality, or any other agency or instrumentality exercising such right shall file for registration in the proper Registry a certified copy of the judgment which shall state definitely, by an adequate description, the particular property or interest expropriated, the number of the certificate of title, and the nature of the public use. A memorandum of the right or interest taken shall be made on each certificate of title by the Register of Deeds, and where the fee simple title is taken, a new certificate shall be issued in favor of the National Government, province, city, municipality, or any other agency or instrumentality exercising such right for the land so taken. The legal expenses incident to the memorandum of registration or issuances incident to the memorandum of registration or issuance of a new certificate shall be for the account of the authority taking the land or interest therein.

SEC. 86. *Extrajudicial settlement of estate.* When a deed of extrajudicial settlement has been duly registered, the Register of Deeds shall annotate on the proper title the two-year lien mentioned in Section 4 of Rule 74 of the Rules of Court. Upon the expiration of the two-year period and presentation of a verified petition by the registered heirs, devisees or legatees or any other party in interest that no claim or claims of any creditor, heir or other person exist, the Register of Deeds shall cancel the two-year lien noted on the title without the necessity of a court order. The verified petition shall be entered in the Primary Entry Book and a memorandum thereof made on the title.

No deed of extrajudicial settlement or affidavit of adjudication shall be registered unless the fact of extrajudicial settlement or adjudication is published once a week for three consecutive weeks in a newspaper of general circulation in the province and proof thereof is filed with the Register of Deeds. The proof may consist of the certification of the publisher, printer, his foreman or principal clerk, or of the editor, business or advertising manager of the newspaper concerned, or a copy of each week's issue of the newspaper wherein the publication appeared.

SEC. 87. *Filing of letters of administration and will.* Before the executor or administrator of the estate of a deceased owner of registered land may deal with the same, he shall file with the office of the Register of Deeds a certified copy of his letters of administration or if there is a will, a certified copy thereof and the order allowing the same, together with the letters testamentary or of administration with the will annexed, as the case may be, and shall produce the duplicate certificate of title, and thereupon the Register of Deeds shall enter upon the certificate a memorandum thereof, making reference to the letters and/or will by their file number, and the date of filing the same.

SEC. 88. *Dealings by administering subject to court approval.* After a memorandum of the will, if any, and order allowing the same, and letters testamentary or letters of administration have been entered upon the certificate of title as hereinabove provided,

the executor or administrator may alienate or encumber registered land belonging to the estate, or any interest therein, upon approval of the court obtained as provided by the Rules of Court.

SEC. 89. *Land devised to executor.* When it appears by will, a certified copy of which with letters testamentary had already been filed as provided in this Decree, that registered land is devised to the executor to his own use, or upon some trust, the executor may have the land transferred to himself upon the register in like manner and subject to like terms and conditions and to like rights as in the case of a transfer pursuant to a deed filed in the office of the Register of Deeds.

SEC. 90. *When executor empowered by will to sell, etc.* When the will of a deceased owner of registered lands, or an interest therein, empowers the executor to sell, convey, encumber, charge or otherwise deal with the land, a certified copy of the will and letters testamentary being filed as provided in this Decree, such executor may sell, convey, encumber, charge or otherwise deal with the land pursuant to the power in like manner as if he were registered owner, subject to the terms and conditions and limitations expressed in the will.

SEC. 91. *Transfer in anticipation of final distribution.* Whenever the court having jurisdiction of the testate or intestate proceedings directs the executor or administrator to take over and transfer to the devisees or heirs, or any of them, in anticipation of final distribution a portion or the whole of the registered land to which they might be entitled on final distribution, upon the filing of a certified copy of such order in the office of the Register of Deeds, the executor or administrator may cause such transfer to be made upon the register in like manner as in case of a sale, and upon the presentation of the owner's duplicate certificate to the Register of Deeds, the devisees or heirs concerned shall be entitled to the issuance of the corresponding certificates of title.

SEC. 92. *Registration of final distribution of estate.* A certified copy of the partition and distribution, together with the final

judgment or order of the court approving the same or otherwise making final distribution, supported by evidence of payment of estate tax or exemption therefrom, as the case may be, shall be filed with the Register of Deeds, and upon the presentation of the owner's duplicate certificate of title, new certificates of title shall be issued to the parties severally entitled thereto in accordance with the approved partition and distribution.

CHAPTER VII

ASSURANCE FUND

SEC. 93. *Contribution to Assurance Fund.* Upon the entry of a certificate of title in the name of the registered owner, and also upon the original registration on the certificate of title of a building or other improvements on the land covered by said certificate, as well as upon the entry of a certificate pursuant to any subsequent transfer of registered land, there shall be paid to the Register of Deeds one-fourth of one per cent of the assessed value of the real estate on the basis of the last assessment for taxation purposes, as contribution to the Assurance Fund. Where the land involved has not yet been assessed for taxation, its value for purposes of this decree shall be determined by the sworn declaration of two disinterested persons to the effect that the value fixed by them is to their knowledge, a fair valuation.

Nothing in this section shall in any way preclude the court from increasing the valuation of the property should it appear during the hearing that the value stated is too small.

SEC. 94. *Custody and investment of fund.* All money received by the Register of Deeds under the preceding section shall be paid to the National Treasurer. He shall keep this money in an Assurance Fund which may be invested in the manner and form authorized by law, and shall report annually to the Commissioner of the Budget the condition and income thereof.

The income of the Assurance Fund shall be added to the principal until said fund amounts to five hundred thousand pesos, in which event the excess income from investments as well as from the collections of such fund shall be paid into the National Treasury to the account of the Assurance Fund.

SEC. 95. *Action for compensation from funds.* A person who, without negligence on his part, sustains loss or damage, or is deprived of land or any estate or interest therein in consequence of the bringing of the land under the operation of the Torrens system of arising after original registration of land, through fraud or in consequence of any error, omission, mistake or misdescription in any certificate of title or in any entry or memorandum in the registration book, and who by the provisions of this Decree is barred or otherwise precluded under the provision of any law from bringing an action for the recovery of such land or the estate or interest therein, may bring an action in any court of competent jurisdiction for the recovery of damages to be paid out of the Assurance Fund.

SEC. 96. *Against whom action filed.* If such action is brought to recover for loss or damage or for deprivation of land or of any estate or interest therein arising wholly through fraud, negligence, omission, mistake or misfeasance of the court personnel, Register of Deeds, his deputy, or other employees of the Registry in the performance of their respective duties, the action shall be brought against the Register of Deeds of the province or city where the land is situated and the National Treasurer as defendants. But if such action is brought to recover for loss or damage or for deprivation of land or of any interest therein arising through fraud, negligence, omission, mistake or misfeasance of person other than court personnel, the Register of Deeds, his deputy or other employees of the Registry, such action shall be brought against the Register of Deeds, the National Treasurer and other person or persons, as co-defendants. It shall be the duty of the Solicitor General in person or by representative to appear and to defend all such suits with the aid of the fiscal of the province or city where the land lies: Provided, however, that nothing in this Decree shall be construed to deprive the plaintiff of any right of action which he may have against any

person for such loss or damage or deprivation without joining the National Treasurer as party defendant. In every action filed against the Assurance Fund, the court shall consider the report of the Commissioner of Land Registration.

SEC. 97. *Judgment, how satisfied.* If there are defendants other than the National Treasurer and the Register of Deeds and judgment is entered for the plaintiff and against the National Treasury, the Register of Deeds and any of the other defendants, execution shall first issue against such defendants other than the National and the Register of Deeds. If the execution is returned unsatisfied in whole or in part, and the officer returning the same certifies that the amount due cannot be collected from the land or personal property of such other defendants, only then shall the court, upon proper showing, order the amount of the execution and costs, or so much thereof as remains unpaid, to be paid by the National treasurer out of the Assurance Fund. In an action under this Decree, the plaintiff cannot recover as compensation more than the fair market value of the land at the time he suffered the loss, damage, or deprivation thereof.

SEC. 98. *General Fund when liable.* If at any time the Assurance Fund is not sufficient to satisfy such judgment, the National Treasurer shall make up for the deficiency from any funds available in the treasury not otherwise appropriated.

SEC. 99. *Subrogation of government to plaintiff's rights.* In every case where payment has been made by the National Treasurer in accordance with the provisions of this Decree, the Government of the Republic of the Philippines shall be subrogated to the rights of the plaintiff against any other parties or securities. The National Treasurer shall enforce said rights and the amount recovered shall be paid to the account of the Assurance Fund.

SEC. 100. *Register of Deeds as party in interest.* When it appears that the Assurance Fund may be liable for damages that may be incurred due to the unlawful or erroneous issuance of a certificate of title, the Register of Deeds concerned shall be deemed a proper

party in interest who shall, upon authority of the Commissioner of Land Registration, file the necessary action in court to annul or amend the title.

The court may order the Register of Deeds to amend or cancel a certificate of title or to do any other act as may be just and equitable.

SEC. 101. *Losses not recoverable.* The Assurance Fund shall not be liable for any loss, damage or deprivation caused or occasioned by a breach of trust, whether express, implied or constructive or by any mistake in the resurveyed or subdivision of registered land resulting in the expansion of area in the certificate of title.

SEC. 102. *Limitation of Action.* Any action for compensation against the Assurance Fund by reason of any loss, damage or deprivation of land or any interest therein shall be instituted within a period of six years from the time the right to bring such action first occurred: Provided, That the right of action herein provided shall survive to the legal representative of the person sustaining loss or damage, unless barred in his lifetime; and Provided, further, That if at the time such right of action first accrued the person entitled to bring such action was a minor or insane or imprisoned, or otherwise under legal disability, such person or anyone claiming from, by or under him may bring the proper action at any time within two years after such disability has been removed, notwithstanding the expiration of the original period of six years first above provided.

CHAPTER VIII

REGISTRATION OF PATENTS

SEC. 103. *Certificates of title pursuant to patents.* Whenever public land is by the Government alienated, granted or conveyed to any person, the same shall be brought forthwith under the operation of this Decree. It shall be the duty of the official issuing the instrument of alienation, grant, patent or conveyance in behalf of the Government to cause such instrument to be filed with the Register of Deeds of the province or city where the land lies, and

to be there registered like other deeds and conveyance, whereupon a certificate of title shall be entered as in other cases of registered land, and an owner's duplicate issued to the grantee. The deed, grant, patent or instrument of conveyance from the Government to the grantee shall not take effect as a conveyance or bind the land but shall operate only as a contract between the Government and the grantee and as evidence of authority to the Register of Deeds to make registration. It is the act of registration that shall be the operative act to affect and convey the land, and in all cases under this Decree, registration shall be made in the office of the Register of Deeds of the province or city where the land lies. The fees for registration shall be paid by the grantee. After due registration and issuance of the certificate of title, such land shall be deemed to be registered land to all intents and purposes under this Decree.

CHAPTER IX

CERTIFICATE OF LAND TRANSFER, EMANCIPATION PATENT, AFFIDAVIT OF NON-TENANCY

SEC. 104. *Provisional Register of Documents.* The Department of Agrarian Reform shall prepare by automate data processing a special registry book to be known as the "Provisional Register of Documents issued under PD-27" which shall be kept and maintained in every Registry of Deeds throughout the country. Said Registry Book shall be a register of:

a. All Certificates of Land Transfer (CLT) issued pursuant to P.D. No. 27; and

b. All subsequent transactions affecting Certificates of Land Transfer such as adjustments, transfer, duplication and cancellations of erroneous Certificates of Land Transfer.

SEC. 105. *Certificates of Land Transfer Emancipation Patents.* The Department of Agrarian reform shall pursuant to P.D. No. 27 issue in duplicate, a Certificate of Land Transfer for

every land brought under “Operation Land Transfer”, the original of which shall be kept by the tenant-farmer and the duplicate, in the Registry of Deeds.

After the tenant-farmer shall have fully complied with the requirements for a grant of title under P.D. No. 27, an Emancipation Patent which may cover previously titled or untitled property shall be issued by the Department of Agrarian Reform.

The Register of Deeds shall complete the entries on the aforementioned Emancipation Patent and shall assign an original certificate of title number in case of unregistered land, and in case of registered property, shall issue the corresponding transfer certificate of title without requiring the surrender of the owner’s duplicate of the title to be canceled.

In case of death of the grantee, the Department of Agrarian Reform shall determine his heirs or successors-in-interest and shall notify the Register of Deeds accordingly.

In case of subsequent transfer of property covered by an Emancipation Patent or a Certificate of Title emanating from an Emancipation Patent, the Register of Deeds shall affect the transfer only upon receipt of the supporting papers from the Department of Agrarian Reform.

No fee, premium, of tax of any kind shall be charged or imposed in connection with the issuance of an original Emancipation Patent and for the registration or related documents.

SEC. 106. *Sale of agricultural land; affidavit.* No voluntary deed or instrument purporting to be a subdivision, mortgage, lease, sale or any other mode of encumbrance or conveyance of private agricultural land principally devoted to rice or corn or any portion thereof shall be registered unless accompanied by an affidavit of the vendor or executor stating that the land involved is not tenanted, or if tenanted, the same is not primarily devoted to the production of rice and/or corn.

If only a portion of the land is primarily devoted to the production of rice and/or corn, and such area so devoted is tenanted, no such deed or instrument shall be registered unless accompanied by an affidavit stating the area (size) of the portion which is tenanted and primarily devoted to rice and/or corn, and stating further that the deed or instrument covers only the untenanted portion or that which is not primarily devoted to the production of rice and/or corn. A memorandum of said affidavit shall be annotated on the certificate of title. The Register of Deeds shall cause a copy of the registered deed or instrument, together with the affidavit, to be furnished the Department of Agrarian Reform Regional Office where the land is located. The affidavit provided in this section shall not be required in the case of a tenant-farmer who deals with his Certificate of Land Transfer or Emancipation Patent in accordance with law.

CHAPTER X

PETITIONS AND ACTIONS AFTER ORIGINAL REGISTRATION

SEC. 107. *Surrender of withhold duplicate certificates.* Where it is necessary to issue a new certificate of title pursuant to any involuntary instrument which divests the title of the registered owner against his consent or where a voluntary instrument cannot be registered by reason of the refusal or failure of the holder to surrender the owner's duplicate certificate of title, the party in interest may file a petition in court to compel surrender of the same to the Register of Deeds. The court, after hearing, may order the registered owner or any person withholding the duplicate certificate to surrender the same, and direct the entry of a new certificate or memorandum upon such surrender. If the person withholding the duplicate certificate is not amenable to the process of the court, or if not any reason the outstanding owner's duplicate certificate cannot be delivered, the court may order the annulment of the same as well as the issuance of a new certificate of title in lieu thereof. Such new certificate and all duplicates thereof shall contain a memorandum of the annulment of the outstanding duplicate.

SEC. 108. *Amendment and alteration of certificates.* No erasure, alteration, or amendment shall be made upon the registration book after the entry of a certificate of title or of a memorandum thereon and the attestation of the same be Register of Deeds, except by order of the proper Court of First Instance. A registered owner of other person having an interest in registered property, or, in proper cases, the Register of Deeds with the approval of the Commissioner of Land Registration, may apply by petition to the court upon the ground that the registered interests of any description, whether vested, contingent, expectant or inchoate appearing on the certificate, have terminated and ceased; or that new interest not appearing upon the certificate have arisen or been created; or that an omission or error was made in entering a certificate or any memorandum thereon, or, on any duplicate certificate; or that the same or any person on the certificate has been changed; or that the registered owner has married, or, if registered as married, that the marriage has been terminated and no right or interests of heirs or creditors will thereby be affected; or that a corporation which owned registered land and has been dissolved has not convened the same within three years after its dissolution; or upon any other reasonable ground; and the court may hear and determine the petition after notice to all parties in interest, and may order the entry or cancellation of a new certificate, the entry or cancellation of a memorandum upon a certificate, or grant any other relief upon such terms and conditions, requiring security or bond if necessary, as it may consider proper; Provided, however, That this section shall not be construed to give the court authority to reopen the judgment or decree of registration, and that nothing shall be done or ordered by the court which shall impair the title or other interest of a purchaser holding a certificate for value and in good faith, or his heirs and assigns, without his or their written consent. Where the owner's duplicate certificate is not presented, a similar petition may be filed as provided in the preceding section.

All petitions or motions filed under this Section as well as under any other provision of this Decree after original registration shall be filed and entitled in the original case in which the decree or registration was entered.

SEC. 109. *Notice and replacement of lost duplicate certificate.* In case of loss or theft of an owner's duplicate certificate of title, due notice under oath shall be sent by the owner or by someone in his behalf to the Register of Deeds of the province or city where the land lies as soon as the loss or theft is discovered. If a duplicate certificate is lost or destroyed, or cannot be produced by a person applying for the entry of a new certificate to him or for the registration of any instrument, a sworn statement of the fact of such loss or destruction may be filed by the registered owner or other person in interest and registered.

Upon the petition of the registered owner or other person in interest, the court may, after notice and due hearing, direct the issuance of a new duplicate certificate, which shall contain a memorandum of the fact that it is issued in place of the lost duplicate certificate, but shall in all respects be entitled to like faith and credit as the original duplicate, and shall thereafter be regarded as such for all purposes of this decree.

SEC. 110. *Reconstitution of lost or destroyed original of Torrens title.* Original copies of certificates of title lost or destroyed in the offices of Register of Deeds as well as liens and encumbrances affecting the lands covered by such titles shall be reconstituted judicially in accordance with the procedure prescribed in Republic Act No. 26 insofar as not inconsistent with this Decree. The procedure relative to administrative reconstitution of lost or destroyed certificate prescribed in said Act is hereby abrogated.

Notice of all hearings of the petition for judicial reconstitution shall be given to the Register of Deeds of the place where the land is situated and to the Commissioner of Land Registration. No order or judgment ordering the reconstitution of a certificate of title shall become final until the lapse of thirty days from receipt by the Register of Deeds and by the Commissioner of Land Registration of a notice of such order or judgment without any appeal having been filed by any of such officials.

CHAPTER XI

SCHEDULE OF FEES: SPECIAL FUND

SEC. 111. *Fees payable.* The fees payable to the Clerk of Court, the Sheriff, the Register of Deeds and the Land Registration Commission shall be as follows:

A. Fees payable to the Clerk of Court. The fees payable to the clerk of court or his deputies shall be as follows:

1. For filing an application for the registration of land, the fees shall be based on the assessed value of the property for the current year, in accordance with the following schedule

(a) When the value of the property does not exceed two thousand pesos, fifteen pesos for the first five hundred pesos, or fractional part thereof, and five pesos for each additional five hundred pesos, or fractional part thereof.

(b) When the value of the property does not exceed two thousand pesos but does not exceed ten thousand pesos, thirty five pesos for the first three thousand pesos, or fractional part thereof, and five pesos for each additional one thousand pesos, or fractional part thereof.

(c) When the value of the property is more than ten thousand pesos but does not exceed one hundred thousand pesos, eighty pesos for the first twenty thousand pesos, or fractional part thereof, and ten pesos for each additional ten thousand pesos, or fractional part thereof.

(d) When the value of the property is more than one hundred thousand pesos but does not exceed five hundred thousand pesos, one hundred eighty pesos for the first one hundred twenty-five thousand pesos, or fractional part thereof, and twenty pesos for each additional twenty-five thousand pesos, or fractional part thereof.

(e) When the value of the property is more than five hundred thousand pesos, five hundred twenty pesos for the first five hundred fifty thousand pesos, or fractional part thereof, and forty pesos for each additional fifty thousand pesos, or fractional part thereof.

If the property has not been assessed for taxation, the fees above prescribed shall be based on the current market value; and the applicant shall file with his application a sworn declaration of three disinterested persons that the value fixed by him is to their knowledge a fair valuation.

2. For filing a petition for review of judgment and decree, or other claim adverse to the registered owner, for each petition, twenty pesos.

3. For filing a petition after the decision has become final, twenty pesos. If it affects land decrees in more than one case, for each additional case, one peso. If it affects several lots or parcels of land in which the petitioners have no common interest, each of such petitioners shall pay the corresponding fees as if separate petitions had been filed by him.

B. Fees payable to the Sheriff. The sheriff shall collect fees for his services rendered in connection with land registration and cadastral proceedings as follows:

1. For posting notices of initial hearing of land registration cases in conspicuous places on the lands described in the notice, for each parcel of land on which a copy of such notice is posted, besides travel fees, three pesos.

2. For posting notices of initial hearing of cadastral cases in conspicuous places on the lands included in the survey, for each group of one hundred lots on which a copy of the notice is posted, besides travel fees, three pesos.

3. For posting one copy of a notice of initial hearing in a conspicuous place upon the municipal building of the city, municipality, or municipal district in which the land or portion thereof lies, besides travel fees, three pesos.

4. For serving notices upon cadastral claimants to appear before the court, travel fees only as provided in the Rules of Court.

5. For all other services not mentioned above, the same fees including travel fees as provided in the Rules of Court for similar services.

C. Fees payable to the Register of Deeds. The Register of Deeds shall collect fees for all services rendered by him under this Decree in accordance with the following schedule:

1. Original certificate of title. For the entry of one original certificate of title and issuance of one owner's duplicate certificate, ten pesos for the first parcel of land described thereon and five pesos for each additional parcel.

2. Entry fee. For each entry fee in the primary entry book, five pesos.

3. Attachment, levy, etc. For the annotation of an attachment, levy, writ of execution, adverse claim, five pesos for each parcel of land affected thereby.

4. Lis Pendens, etc. For the annotation of a notice of lis pendens, or of any document or order in connection therewith, for each of land affected thereby, five pesos.

5. Release of encumbrance. For the annotation of a release of any encumbrance, except mortgage, lease, or other lien for the cancellation of which a specific fee is prescribed herein, for each parcel of land so released, five pesos; but the total

amount of fees to be collected shall not exceed the amount of fees paid for the registration of such encumbrance.

6. Court Order. For the annotation of an order of the court for the amendment of, or the making of a memorandum on, a certificate of title, except inclusion of buildings or improvements, or any order directing the registration of a document, or of any right or interest referred to in said order, or the cancellation of a certificate of title and/or the issuance of a new one, ten pesos for each certificate of title on which the annotation is made, in addition to the fees prescribed under paragraphs sixteen or seventeen, as the case may be, of this subsection, in the same are also due for the registration of such document, right or interest.

7. Building. For the annotation of an order of the court for the inclusion of building and/or improvement in a certificate of title, ten pesos for each certificate of title.

8. Powers of attorney, letters of administration, appointment of guardian, resolution or revocation thereof. For registering and filing a power of attorney, letters of administration or letters testamentary whether or not accompanied by a copy of the testament, certificate of allowance of a will with attested copy of the will annexed, appointment of guardian for a minor or incompetent person, appointment of receiver, trustee, or administrator, articles of incorporation of any corporation, association or partnership, or resolution of its board of directors empowering an officer or member thereof to act in behalf of the same, twenty pesos; and for the annotation of such papers on certificates of title when required by existing laws or regulations, five pesos for each certificate of title so annotated: Provided, however, that when the certificate of allowance of a will and the letters testamentary or letters of administration are filed together, only one fee shall be collected. For registering an instrument of revocation of any of the paper mentioned above, five pesos, and if annotated

on the corresponding certificate of title, three pesos for each certificate of title.

9. Notice of tax lien, loss, etc. For the annotation of a notice of tax lien of any description notice of lost duplicate or copy of a certificate of title, order of the court declaring such duplicate or copy null and void, notice of change of address, or the cancellation of any such annotation, for each certificate of title, five pesos.

10. Carry over of annotation. For transferring the memorandum of an encumbrance of any kind from one certificate of title which is canceled to a new one in lieu thereof, for each memorandum thus transferred, five pesos.

11. Annotation on additional copy of title. For any memorandum made in a standing co-owner's copy of a certificate of title after a similar memorandum has been made in the original thereof, of each certificate of title, five pesos.

12. No specific fee. For any memorandum made in a certificate of title for which no specific fee is prescribe above, for each certificate of title, five pesos.

13. Transfer to trustee, executor, administrator receiver. For the issuance of a transfer certificate of title, including its duplicate, to a trustee, executor, administrator, or receiver, or for the cancellation of such certificate of title and issuance of a new one, including its duplicate, to the cestui que trust in case of trusteeship, ten pesos. If the certificate covers more than one parcel or lot, an additional fee of five pesos shall be collected for each additional parcel or lot.

14. Transfer certificate of title. For the issuance of a transfer certificate of title, including its duplicate, to a person other than those named in the next preceding paragraph, ten pesos, in addition to the fees hereinafter prescribed in paragraph sixteen or seventeen, as the case may be, of this subsection, if

the same are also due. If the certificate covers more than one parcel or lot, an additional fee of five pesos shall be collected for each additional parcel or lot.

15. Additional copy of title. For the issuance of a new owner's duplicate or a co-owner's copy of a certificate of title, or any additional duplicate or copy thereof, ten pesos for the first page and five pesos for each subsequent page, or fraction thereof.

16. Registration fee. For the registration of a deed of sale, conveyance, transfer, exchange, partition, or donation; a deed of sale with pacto de retro, conditional sale, sheriff's sale at public auction, sale for non-payment of taxes, or any sale subject to redemption, or the repurchase or redemption of the property so sold; any instrument, order, judgment or decree divesting the title of the registered owner, except in favor of a trustee, executor, administrator or receiver; option to purchase or promise to sell; any mortgage, surety, bond, lease, easement, right-of-way, or other real right or lien created or constituted by virtue of a distinct contract or agreement, and not as an incidental condition of sale, transfer or conveyance; the assignment, enlargement, extension or novation of a mortgage or of any other real right, or a release of mortgage, termination of lease, or consolidation of ownership over a property sold with pacto de retro; where no specific fee is prescribed therefor in the preceding paragraphs, the fees shall be based on the value of the consideration in accordance with the following schedule:

(a) Six thousand pesos maximum. When the value of the consideration does not exceed six thousand pesos, seven pesos for the first five hundred pesos, or fractional part thereof, and three pesos for each additional five hundred pesos, or fractional part thereof.

(b) Thirty thousand pesos maximum. When the value of the consideration is more than six thousand pesos but does not exceed thirty thousand pesos, or fractional part

thereof, and eight pesos for each additional two thousand pesos, or fractional part thereof.

(c) One hundred thousand pesos maximum. When the value of the consideration is more than thirty thousand pesos but does not exceed one hundred thousand pesos, one hundred fifty pesos for the first thirty-five thousand pesos, or fractional part thereof, and fourteen pesos or each additional five thousand pesos, or fractional part thereof.

(d) Five hundred thousand pesos maximum. When the value of the consideration is more than one hundred thousand pesos but does not exceed five hundred thousand pesos, three hundred fifty-two pesos for the first one hundred ten thousand pesos, or fractional part thereof, and twenty pesos for each additional ten thousand pesos, or fractional part thereof.

(e) More than five hundred thousand pesos. When the value of the consideration is more than five hundred thousand pesos, one thousand one hundred sixty-two pesos for the first five hundred twenty thousand pesos, or fractional part thereof, and thirty pesos for each additional twenty thousand pesos, or fractional part thereof.

17. Fees for specific transactions. In the following transactions, however, the basis of the fees collectible under paragraph sixteen of this subsection, whether or not the value of the consideration is stated in the instrument, shall be as hereunder set forth:

(a) Exchange. In the exchange of real property the basis of the fees to be paid by each party shall be the current assessed value of the properties acquired by one party from the other, in addition to the value of any other consideration, if any, stated in the contract.

(b) Hereditary transfer. In the transmission of an hereditary estate without partition or subdivision of the property among the heirs, devisees or legatees, although with specification of the share of each in the value of the estate, the basis shall be the total current assessed value of the property thus transmitted.

(c) Partition of hereditary estate; Conjugal property. In the partition of an hereditary estate which is still in the name of the deceased, in which determinate properties are adjudicated to each heir devisee or legatee, or to each group of heirs, devisees or legatees, the basis of the fees to be paid by each person or group, as the case may be, shall be the total current assessed value of the properties thus adjudicated to each person or group. In the case, however, of conjugal property, the basis of the fees for the registration of one-half thereof in the name of the surviving spouse shall be the total current assessed value of the properties adjudicated to said spouse.

(d) Subdivision or partition. In the partition of real property held in common by several registered co-owner's the basis of the fees to be paid by each co-owner or group of co-owners shall be the total assessed value of the property taken by each co-owner or group.

(e) Conveyance: several lots and parties. In the sale, conveyance or transfer of two or more parcels of land in favor of two or more separate parties but executed in one single instrument, the basis shall be the total selling price paid by each party-buyer, or, in the case of lump sum consideration, such portion thereof as apportioned in accordance with the assessed value of the respective land acquired by each party-buyer.

(f) Conveyance of properties in different places. In the sale, conveyance, or transfer of properties situated in different

cities or provinces, the basis of the fees in each Registry of Deeds where the instrument is to be registered shall be the total selling price of the properties situated in the respective city or province, or, in the case of lump sum consideration, such portion thereof as obtained for those properties lying within the jurisdiction of the respective registry after apportioning the total consideration of the sale, conveyance or transfer in accordance with the current assessed value of such properties.

(g) Conveyance of mortgaged properties. In the sale, conveyance, or transfer of a mortgaged property, the basis shall be the selling price of the property proper plus the full amount of the mortgage, or the unpaid balance thereof if the latter is stated in the instrument. If the properties are situated in different cities or provinces, the basis of the fees in each Registry of Deeds where the instrument is to be registered shall be such sum as obtained for the properties situated in the respective city or province after apportioning in accordance with the current assessed values of said properties the total amount of consideration as above computed, unless the selling price of the properties in each city or province and the proportionate share thereof in the amount of unpaid balance of the mortgage are stated in the instrument, in which case, the aggregate of such selling price and share shall be the basis. In any case, however, where the aggregate value of the consideration as above computed shall be less than the current assessed value of the properties in the city or province concerned, such assessed value shall be the basis of the fees in the respective Registry.

(h) Mortgage of properties in different places. In a mortgage affecting properties situated in different cities or provinces, the basis of the fees in each Registry of Deeds where the document is to be registered shall be such amount as obtained for the properties lying within the

jurisdiction of said Registry after apportioning the total amount of the mortgage in accordance with the current assessed value of such properties.

(i) Release of mortgage. In the release of a mortgage the basis of the fees shall be an amount equal to ten per centum of the total amount of obligation secured by the mortgage. If the properties are situated in different cities or provinces, the basis of the fees in each Registry shall be ten per centum of such sum as obtained for the properties in the respective city or province after apportioning the amount of the mortgage in accordance with the current assessed values of such properties. In the case of a partial release, the fees shall be based on ten per centum of the current assessed value of the property so released in the respective city or province; Provided, however, That where several partial releases had been registered, the fees corresponding to the final release shall be computed on the basis of ten per centum of the difference between the amount of the mortgage and the aggregate of the consideration used as basis for the collection of the fees paid for the registration of all previous partial releases.

(j) Certificate of sale. In a certificate of sale at public auction by virtue of an order of execution or sale for delinquency in the payment of taxes, or repurchase of the property so sold, the basis of the fees in each Registry shall be ten per centum of the selling or repurchase price of the property lying within the jurisdiction of the Registry.

(k) Affidavit of consolidation of ownership. In an affidavit for the consolidation of ownership over a property sold with pacto de retro or pursuant to an extra judicial foreclosure under the provisions of Act Numbered Thirty-one hundred and thirty-five, as amended, the basis of the fees in each Registry shall be an amount equivalent to ten per centum of the consideration of the sale in the respective city or province.

(l) Contract of lease. In contracts of lease, the basis of the fees in each Registry shall be the sum total to be paid by the lessee for the properties situated in the respective city or province during the entire period specified in the contract, including the extension contemplated by the parties which may be given effect without the necessity of further registration. If the period is from year to year, or otherwise not fixed, the basis shall be the total amount of rentals due for thirty months. If the rentals are not distributed, the total amount thereof as above computed shall be apportioned to said properties in accordance with their assessed values, and the proportionate sum thus obtained for each city or province shall be the basis of the fees to be collected in the Registry concerned.

(m) Termination of lease. In the termination of lease, the basis of the fees in each registry shall be ten per centum of the amount used as basis for the collection of the fees paid for the registration of said lease.

(n) Option to purchase or promise to sell. In contracts of option to purchase or promise to sell, the basis of the fees in each Registry shall be ten per centum of the current assessed value of the property subject of such contract in the respective city or province.

(o) Consideration not stated or fixed or less than assessed value. In other transactions where the actual value of the consideration is not fixed in the contract or cannot be determined from the terms thereof, or, in case of a sale, conveyance, or transfer, the consideration stated is less than the current assessed value of the property, the basis of the fees shall be the current assessed value of the property involved in the transaction. If the properties are situated in different cities or provinces, the basis of the fees in each Registry shall be the current assessed value of the properties lying within the jurisdiction of the Registry concerned.

18. Issuance of copy of document. For furnishing copies of any entry, decree, document, or other papers on file, fifty centavos for each hundred words of fraction thereof contained in the copies thus furnished.

19. Certified copy. For certifying a copy furnished under the next preceding paragraph, for each certification, five pesos for one page and one peso for each additional page certified.

20. Certification. For issuing a certificate relative to, or showing the existence or non-existence of, an entry in the registration books or a document on file, for each such certificate containing not more than two hundred words, five pesos; if it exceeds that number an additional fee of one peso shall be collected for every hundred words, or fraction thereof, in excess of the first two hundred words.

21. Research fee. For services rendered in attending to request for reference or researches on any records or documents on file in the Registry, there shall be collected two pesos per document or record.

D. Fees payable to the Commissioner of Land Registration. The fees payable to the Commissioner of Land Registration shall be as follows:

1. For verification and approval of subdivision plans, the fee shall be:

- (a) For each lot P2.00
For each corner of a lot, irrespective of whether such corner is
- (b) common to two or more lots 0.20
- (c) For each traverse station..... 0.10
- (d) For each observation 0.50
- (e) In case the plan is a resurveyed or relocation plan an additional 40 per cent of the rates prescribed above shall be collected.

Provided, however, that the total fee as computed above, whether for subdivision and/or consolidation-subdivision survey, resurveyed or relocation plan, shall in no case be less than P8.00 per plan.

2. For changing or correcting the name of any person appearing on the subdivision plan or other plan in order to have it conform to that stated in the certificate of title covering the land, and for the cancellation of an approved plan when so requested by the interested party, there shall be a fee of P5.00 per plan.

3. The rates of fees prescribed in paragraph 1 and 2, inclusive, shall apply to similar services rendered in connection with the examination, verification, and approval of consolidation, consolidation-subdivision, resubdivision, and reconsolidation plans, special work order plans on the basis of certified copies of technical descriptions of plans approved by the Land Registration Commission or the Bureau of Lands, private surveys, and other plans of similar nature.

In the computation of fees relative to lots subject of consolidation and consolidation-subdivision plans, a fee of two pesos shall be collected per lot as appearing in the old survey in addition to the fee collectible in paragraph 1 hereof for the new lots.

4. For the preparation of a plan in a tracing cloth of any survey, the data of which are available in the Commission, except when the same is merely traced from an existing plan, the fees shall be computed as follows:

(a) When the plan to be so prepared contains only one lot:

1. For the first ten corners or fraction thereofP40.00
2. For the next ten corners or fraction thereof 6.00
3. For each corner in excess of the first
twenty corners 0.40

(b) When the plan to be so prepared contains two or more lots:

1. For the first lot, which must be the biggest of the group, irrespective of the number of its corner P40.00
2. For each additional lot, irrespective of the number of its corners, said lot being adjacent to the first lot or any other lot..... P15.00
3. For each non-adjacent lot (other than the first charged lot), irrespective of the number of its corners..... P20.00
4. If any lot contains more than twenty corners for each corner of such lot in the first twenty corners..... P0.40

5. For the preparation of a plan in tracing cloth, to be traced from an existing plan, complete with bearings and distances of corners and tie lines, the fee shall be 30 per centum of the fees prescribed in paragraph 4 above.

6. For the preparation of a plan in tracing cloth, to be copied from an existing plan, complete with bearings and distances of sides and tie-lines, but using a different scale, the fee shall be 50 per centum of the fees prescribed under paragraph 4 above, if made on a reduced scale; or 60 per centum of the same fees, if made on an enlarged scale.

7. For the preparation of a simple plan or sketch of any available survey or plan on any paper other than a tracing cloth, the fee on the basis of each lot, shall be as follows:

- (a) For the first ten corners or fraction thereof..... P20.00
- (b) For the second ten corners or fraction thereof..... 5.00
- (c) For the third ten corners or fraction thereof 2.00

- (d) For each corner in excess of the first thirty corners..... 0.20
- (e) If the sketch is prepared in tracing cloth, add to the total fees as above computed 5.00
- (f) If the plan or sketch so prepared contains the bearing and distances of the sides and tie-lines, add to the total fees as above computed 10 per centum thereof.

8. For furnishing a plan copy (blue-print, or white print) of any plan on file in the Commission, the fee shall be as follows:

- (a) For the copy of any size not exceeding forty square decimetersP3.00
- (b) For one copy of more than forty square decimeters but not exceeding eighty square decimeters in size..... 6.00
- (c) For one copy of more than eighty square decimeters but not exceeding one hundred twenty square decimeter in size 9.00
- (d) For one copy in excess of one hundred twenty square decimeters in size, the basis rate of nine pesos plus for every twenty square decimeters or fraction thereof in excess 0.50

9. For the preparation of technical descriptions, other than mere copying from an existing copy, there shall be collected the following fees:

- (a) For technical descriptions of lots or parcels, typewritten in triplicate and double-spaced, including certification:
 - 1. For each lot P3.00
 - 2. For each corner of a lot..... 0.20
 - 3. For each extra carbon copy, extra charge..... 0.20
 - 4. Minimum total charge..... 3.00

- (b) For lot description prepared in tracing cloth (on tabulated form) including certification:
 - 1. For each sheetP1.50
 - 2. For each lot 0.20
 - 3. For each corner in excess of ten for a lot 0.10
- (c) Any common corner shall be counted as many items as there are lots to which it pertains.

10. For certification of plans or copies of plans as to the correctness of the same, per plan or print copy P3.00 and for the issuance of all other certification P5.00 plus one 30-centavo documentary stamp to be affixed thereto.

11. For inspection of land subject of private surveys, simple or complex subdivision plans, or consolidation, consolidation-subdivision, resubdivision, or reconsolidation plans, special work orders, and other plans of similar nature for the purpose of verification and/or approval:

- (a) For each plan with an aggregate area of 1,000 sq. m. or lessP100.00
- (b) For each subdivision with an aggregate area of more than 1,000 sq. m.:
 - 1. For the first 1,000 s.m.....P100.00
 - 2. For every succeeding 1,000 sq. m. or fraction thereof..... 10.00

12. For actual field work of subdivision survey, relocation survey and resurveyed of land, the fees shall be as follows:

(a) Subdivision survey:

1. Rural (Agricultural)

Area	Survey Fee
For the first hectare	P 350.00
For the 2nd ha. to 10th ha	An additional 60.00 per ha.
For the 11th ha. to 20th ha.	An additional P30.00 per ha.

For the 21st ha. to 30th ha.	An additional P20.00 per ha.
For the 31st ha. to 200th ha.	An additional P10.00 per ha.
For the 201st ha. or over	An additional P8.00 per ha.

A fraction of a hectare shall be considered one hectare.

2. Urban (Solar):

First 200 sq. m. or less	P350.00
Succeeding 201 sq. m. or more	P20.00

(b) Relocation Survey or Resurveyed: 100 sq. m.

The fee for relocation survey or resurveyed shall be one hundred fifty per cent (150%) of the amount of survey fee collectible on the basis of the schedule of fees for subdivision survey as provided in the preceding paragraph plus one per cent (1%) of the assessed value of the land.

Special Account. Twenty per centum of all the collections of the Registers of Deeds and of the Land Registration Commission under this Section and Sections 118 and 116 of this Decree shall be appropriated and upon approval of a budget for it by the Ministry of the Budget, such amounts shall be disbursed and all offices under the Land Registration Commission, for the purchase of necessary equipment, for payment of allowances of officials and employees of the Commission, including those of the Registries of Deeds, as authorized by the Commissioner, for contracts regarding security printing of Land title forms, for survey contracts, and for the maintenance and other operating expenses of the Commission.

CHAPTER XII

FORMS USED IN LAND REGISTRATION AND CONVEYANCING

SEC. 112. *Forms in conveyancing.* The Commissioner of Land Registration shall prepare convenient blank forms as may be

necessary to help facilitate the proceedings in land registration and shall take charge of the printing of land title forms.

Deeds, conveyances, encumbrances, discharges, powers of attorney and other voluntary instruments, whether affecting registered or unregistered land, executed in accordance with law in the form of public instruments shall be registerable: Provided, that, every such instrument shall be signed by the person or persons executing the same in the presence of at least two witnesses who shall likewise sign thereon, and shall acknowledged to be the free act and deed of the person or persons executing the same before a notary public or other public officer authorized by law to take acknowledgment. Where the instrument so acknowledged consists of two or more pages including the page whereon acknowledgment is written, each page of the copy which is to be registered in the office of the Register of Deeds, or if registration is not contemplated, each page of the copy to be kept by the notary public, except the page where the signatures already appear at the foot of the instrument, shall be signed on the left margin thereof by the person or persons executing the instrument and their witnesses, and all the ages sealed with the notarial seal, and this fact as well as the number of pages shall be stated in the acknowledgment. Where the instrument acknowledged relates to a sale, transfer, mortgage or encumbrance of two or more parcels of land, the number thereof shall likewise be set forth in said acknowledgment.

CHAPTER XIII

DEALINGS WITH UNREGISTERED LANDS

SEC. 113. *Recording of instruments relating to unregistered lands.* No deed, conveyance, mortgage, lease, or other voluntary instrument affecting land not registered under the Torrens system shall be valid, except as between the parties thereto, unless such instrument shall have been recorded in the manner herein prescribed in the office of the Register of Deeds for the province or city where the land lies.

(a) The Register of Deeds for each province or city shall keep a Primary Entry Book and a Registration Book. The Primary Entry Book shall contain, among other particulars, the entry number, the names of the parties, the nature of the document, the date, hour and minute it was presented and received. The recording of the deed and other instruments relating to unregistered lands shall be effected by any of annotation on the space provided therefor in the Registration Book, after the same shall have been entered in the Primary Entry Book.

(b) If, on the face of the instrument, it appears that it is sufficient in law, the Register of Deeds shall forthwith record the instrument in the manner provided herein. In case the Register of Deeds refuses its administration to record, said official shall advise the party in interest in writing of the ground or grounds for his refusal, and the latter may appeal the matter to the Commissioner of Land Registration in accordance with the provisions of Section 117 of this Decree. It shall be understood that any recording made under this section shall be without prejudice to a third party with a better right.

(c) After recording on the Record Book, the Register of Deeds shall endorse among other things, upon the original of the recorded instruments, the file number and the date as well as the hour and minute when the document was received for recording as shown in the Primary Entry Book, returning to the registrant or person in interest the duplicate of the instrument, with appropriate annotation, certifying that he has recorded the instrument after reserving one copy thereof to be furnished the provincial or city assessor as required by existing law.

(d) Tax sale, attachment and levy, notice of lis pendens, adverse claim and other instruments in the nature of involuntary dealings with respect to unregistered lands, if made in the form sufficient in law, shall likewise be admissible to record under this section.

(e) For the services to be rendered by the Register of Deeds under this section, he shall collect the same amount of fees prescribed for similar services for the registration of deeds or instruments concerning registered lands.

CHAPTER XIV

REGISTRATION OF CHATTEL MORTGAGES

SEC. 114. *Recording of chattel mortgages.* A chattel mortgage shall be recorded in the office of the Register of Deeds of the province or city where the mortgagor resides as well as where the property is situated or ordinarily kept.

SEC. 115. *Manner of recording chattel mortgages.* Every Register of Deeds shall keep a Primary Entry Book and a Registration Book for chattel mortgages; shall certify on each mortgage filed for record, as well as on its duplicate, the date, hour, and minute when the same was by him received; and shall record in such books any chattel mortgage, assignment or discharge thereof, and any other instrument relating to a recorded mortgage, and all such instruments shall be presented to him in duplicate, the original to be filed and the duplicate to be returned to the person concerned.

The recording of a mortgage shall be effected by making an entry, which shall be given a correlative number, setting forth the names of the mortgagee and the mortgagor, the sum or obligation guaranteed, date of the instrument, name of the notary before whom it was sworn to or acknowledged, and a note that the property mortgaged, as well as the terms and conditions of the mortgage, is mentioned in detail in the instrument filed, giving the proper file number thereof. The recording of other instruments relating to a recorded mortgage shall be effected by way of annotation on the space provided therefor in the Registration Book, after the same shall have been entered in the primary Entry Book.

The Register of Deeds shall also certify the officer's return of sale upon any mortgage, making reference upon the record of such

officer's return to the volume and page of the record of the mortgage, and a reference of such return on the record of the mortgage itself, and give a certified copy thereof, when requested, upon payment of the legal fees for such copy thereof, when requested, upon payment of the legal fees for such copy and certify upon each mortgage officer's return of sale or discharge of mortgage, and upon any other instrument relating to such a recorded mortgage, both on the original and in the duplicate, the date, hour, and minute when the same is received for record and record such certificate index of mortgagors and mortgagees, which record and index shall be open to public inspection.

Duly certified copies of such records and of filed instruments shall be receivable as evidence in any court.

SEC. 116. Fees for chattel mortgages, etc. The register of Deeds shall collect the following fees for services rendered by him under this section:

1. Entry fee. For entry or presentation of any document in the Primary Entry Book, five pesos. Supporting papers presented together with the principal document need not be charged any entry or presentation fee unless the party in interest desires that they be likewise entered.

2. Chattel Mortgage. For filing and recording each chattel mortgage, including the necessary certificates and affidavits, the fees established in the following schedule shall be collected:

(a) Six thousand pesos maximum. When the amount of the mortgage does not exceed six thousand pesos, seven pesos for the first five hundred pesos, or fractional part thereof, and three pesos for each additional five hundred pesos, or fractional part thereof.

(b) Thirty thousand pesos maximum. When the amount of the mortgage is more than six thousand pesos but does not exceed thirty thousand pesos, forty-eight pesos for the initial amount not

exceeding eight thousand pesos, and eight pesos for each additional two thousand pesos or fractional part thereof.

(c) One hundred thousand pesos maximum. When the amount of the mortgage is more than thirty thousand pesos but does not exceed one hundred thousand pesos, one hundred fifty pesos for the initial amount not exceeding thirty-five thousand pesos, and fourteen pesos for each additional five thousand pesos of fractional part thereof.

(d) Five hundred thousand pesos maximum. When the amount of the mortgage is more than one hundred thousand pesos but does not exceed five hundred thousand pesos, three hundred fifty-two pesos for the initial amount not exceeding one hundred ten thousand pesos and twenty pesos for each additional ten thousand pesos or fractional part thereof.

(e) More than five hundred thousand pesos. When the amount of the mortgage is more than five hundred thousand pesos, one thousand one hundred sixty-two pesos for the initial amount not exceeding five hundred twenty thousand pesos, and thirty pesos for each additional twenty thousand pesos or fractional part thereof: Provided, however, that registration of the mortgage in the province where the property is situated shall be sufficient registration and provided, further, that if the mortgage is to be registered in more than one city or province, the Register of Deeds of the city or province where the instrument is first presented for registration shall collect the full amount of the fees due in accordance with the schedule prescribed above, and the Register of Deeds of the other city or province where the same instrument is also to be registered shall collect only a sum equivalent to twenty per centum of the amount of fees due and paid in the first city or province, but in no case shall the fees payable in any Registry be less than the minimum fixed in this schedule.

3. Conveyance of mortgaged property, etc. For recording each instrument of sale, conveyance, or transfer of the property

which is subject of a recorded mortgage, or of the assignment of mortgage credit, the fees established in the preceding schedule shall be collected on the bases of ten per centum of the amount of the mortgage or unpaid balance thereof, provided, that the latter is stated in the instrument.

4. Notice of attachment. For recording each notice of attachment, including the necessary index and annotations, eight pesos.

5. Release of mortgage. For recording such release of mortgage, including the necessary index and references, the fees established in the schedule under paragraph (b) above shall be collected on the basis of five per centum of the amount of the mortgage.

6. Release of attachment. For recording each release of attachment, including the proper annotations, five pesos.

7. Sheriff's return of sale. For recording each sheriff's return of sale, including the index and references, seven pesos.

8. Power of attorney, appointment of guardian, administrator or trustee. For recording a power of attorney, appointment of judicial guardian, administrator, or trustee, or any other instrument in which a person is given power to act in behalf of another in connection with a mortgage, ten pesos.

9. No specific fee. For recording each instrument or order relating to a recorded mortgage, including the necessary index and references, for which no specific fee is provided above, five pesos.

10. Certified copy. For certified copies of records, such fees as are allowed by law for copies kept by the Register of Deeds.

11. Certification. For issuing a certificate relative to, or showing the existence or non-existence of an entry in the registration book, or a document on file, for each such certificate containing not

more than two hundred words, five pesos; if it exceeds that number, an additional fee of one peso shall be collected for every one hundred words or fractional part thereof, in excess of the first two hundred words.

12. Research Fee. For services rendered in attending to requests for references to, or researches on any document on file in the Registry, there shall be collected a fee of two pesos per document.

CHAPTER XV

CONSULTAS

SEC. 117. *Procedure.* When the Register of Deeds is in doubt with regard to the proper step to be taken or memorandum to be made in pursuance of any deed, mortgage or other instrument presented to him for registration, or where any party in interest does not agree with the action taken by the Register of Deeds with reference to any such instrument, the question shall be submitted to the Commissioner of Land Registration by the Register of Deeds, or by the party in interest thru the Register of Deeds.

Where the instrument is denied registration, the Register of Deeds shall notify the interested party in writing, setting forth the defects of the instrument or legal grounds relied upon, and advising him that if he is not agreeable to such ruling, he may, without withdrawing the documents from the Registry, elevate the matter by consulta within five days from receipt of notice of the denial of registration to the Commissioner of Land Registration.

The Register of Deeds shall make a memorandum of the pending consulta on the certificate of title which shall be canceled motu proprio by the Register of Deeds after final resolution or decision thereof, or before resolution, if withdrawn by petitioner.

The Commissioner of Land Registration, considering the consulta and the records certified to him after notice to the parties

and hearing, shall enter an order prescribing the step to be taken or memorandum to be made. His resolution or ruling in consultas shall be conclusive and binding upon all Registers of Deeds, provided, that the party in interest who disagrees with the final resolution, ruling or order of the Commissioner relative to consultas may appeal to the Court of Appeals within the period and in manner provided in Republic Act No. 5434.

CHAPTER XVI

FINAL PROVISIONS

SEC. 118. *Appropriation.* There is hereby appropriated initially the sum of TWELVE MILLION THREE HUNDRED FORTY THOUSAND PESOS (P12,340,000.00) from the National Treasury not otherwise appropriated for the implementation of this decree; thereafter, said sum shall be added to the regular appropriation act of every year.

SEC. 119. *Postage exemption.* No postage stamps or mailing charges shall be required in all matters transmitted by the Land Registration Commission or any of its Registry of Deeds in the implementation of Sections 21, 40, 106, 118 and 117 of this Decree.

SEC. 120. *Repealing clause.* All laws, decrees, orders, rules and regulations, or parts thereof, in conflict or inconsistent with any of the provisions of this Decree are hereby repealed or modified accordingly.

SEC. 121. *Separability clause.* In the event that any provision of this Decree is declared unconstitutional, the validity of the remainder shall not be affected thereby.

SEC. 122. *Effectivity.* This Decree shall take effect upon its approval.

Done in the City of Manila, this 11th day of June, in the year of Our Lord, nineteen hundred and seventy-eight.

(Sgd.) FERDINAND E. MARCOS

By the President:

(Sgd.) JACOBO CLAVE
Presidential Executive Assistant

MALACAÑANG
RESIDENCE OF THE PRESIDENT OF THE PHILIPPINES
MANILA

PRESIDENTIAL DECREE NO. 1817

AMENDING SECTION SIXTY-TWO OF REPUBLIC ACT
NUMBERED THREE THOUSAND EIGHT HUNDRED
FORTY-FOUR, AS AMENDED, OTHERWISE KNOWN AS
THE CODE OF AGRARIAN REFORM OF THE PHILIPPINES

WHEREAS, the farmer-beneficiary who has fully paid the cost of his farm and/or homelots to the Land Bank of the Philippines under Section Sixty-two of Republic Act Numbered Three Thousand Eight Hundred and Forty-Four, is legally enjoined from using said property as collateral for loans to be obtained from public or private lending institutions:

WHEREAS, under the existing provision, a farmer-beneficiary who is still amortizing the cost of his land is better situated than a beneficiary who has already paid in full the cost of the land for being given an opportunity to secure loans and credit assistance thru the use of the Certificate of Land Transfer (CLT) as collateral;

WHEREAS, the operative effects of such provision, besides being iniquitous on the part of the farmer-beneficiary who has fully paid for his land, could lead to a situation where a farmer beneficiary would defer the full payment of the purchase price if only to enable him to use his landholdings as collateral for any loan that he intends to obtain thereby;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers in me vested by the Constitution, do hereby order and decree;

SECTION 1. Section Sixty-two of Republic Act Numbered Three Thousand Eight Hundred and Forty-four, as amended,

otherwise known as the Code of Agrarian Reform of the Philippines, is hereby amended to read as follows:

“SEC. 62. *Limitation of Land Rights.* Except in hereditary succession by one heir, landholding acquired under this Code shall not be sold or transferred except in favor of the Government, valued at its acquisition cost plus cost of improvements. Said landholding may be mortgaged or encumbered in favor of any financing or banking institution up to the original cost of acquisition thereof to be guaranteed by the Samahang Nayon or duly recognized farmers cooperative where the farmer is a full-pledged member; *Provided,* That in case of default, the loan becomes immediately due and demandable and the mortgagor is given a grace period of one year within which to settle his obligation: *Provided, Further,* That in case of non-payment within one year grace period, the landholding shall be disposed of only in favor of the Government which shall endeavor to substitute the defaulting farmer-beneficiary preferable with a new one who does not own any land duly certified by the Ministry of Agrarian Reform and who shall be subrogated to the rights and shall assume the obligations of the replaced farmer-beneficiary, subject, however, to the preferential, right of first refusal of the other heirs of the latter: *Provided, Further,* That a purchaser who acquired his landholding under a contract to sell from Land Bank, or has been issued an Order of Award, may also secure a loan from any financing or banking institution in an amount not exceeding his equity on said landholding.

SEC. 2. This Act shall take effect upon its approval.

Done in the City of Manila, this 16th day of January, in the year of Our Lord, nineteen hundred and eighty-one.

(Sgd.) FERDINAND E. MARCOS
President of the Philippines

By the President:

(Sgd.) JUAN C. TIVERA
Presidential Executive Assistant

MALACAÑANG
MANILA

PRESIDENTIAL DECREE NO. 1854

**AUTHORIZING AN ADJUSTMENT OF THE FUNDING SUPPORT
OF THE PHILIPPINE COCONUT AUTHORITY AND
INSTITUTING A PROCEDURE FOR THE MANAGEMENT
OF SUCH FUND**

WHEREAS, the Philippine Coconut Authority (PCA) was created to implement and attain the declared national policy of promoting the rapid integrated development and growth of the coconut and other palm oil industry in all its aspects;

WHEREAS, historically, the defunct Philippine Coconut Administration (PHILCOA) received no regular government financial support and had to depend on the coconut industry for its operational budget, and similarly, the PCA ever since its creation relied mainly on its share of the CCSF assessment/levy collections which accounts for ninety percent (90%) of its budgetary requirements;

WHEREAS, the fluctuation in the world market prices of coconut products which accounts for the impermanence of the levy necessitates the provision of a continuing and self-sustaining funding system to support the operations of PCA;

WHEREAS, from the beginning, it has been the intention of the law pursuant to Section 13, Chapter VI of Republic Act No. 1145 and Section 3(k), Article II of P.D. 1468, that PCA derive support from the coconut industry;

WHEREAS, the authorized amount of support from the industry has remained unchanged since 1954, and in view of the

expanded functions and responsibilities of PCA, public interest and welfare dictate that an immediate adjustment of the industry support be made in order to provide this agency with adequate financial means and resources to more effectively carry out its task;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Republic of the Philippines, by virtue of the powers vested in me by the Constitution and laws, do hereby decree and order the following:

SECTION 1. The PCA fee imposed and collected pursuant to the provisions of R.A. No. 1145 and Sec. 3(k), Article II of P.D. 1468, is hereby increased to three centavos per kilo of copra or husked nuts or their equivalent in other coconut products delivered to and/or purchased by copra exporters, oil millers, desiccators and other end-users of coconut products. The fee shall be collected under such rules that PCA may promulgate, and shall be paid by said copra exporters, oil millers, desiccators, and other end-users of coconut products, receipt of which shall be remitted to the National Treasury on a quarterly basis.

SEC. 2. The receipt and process of all collections pursuant to Section 1 hereof, shall be utilized exclusively for the operations of the Philippine Coconut Authority and shall be released automatically by the National Treasury upon approval by the PCA Governing Board of its budgetary requirements, as an exception to P.D. 1234 and the budgetary processes provided in P.D. 1177, as amended.

SEC. 3. All laws, decrees, orders, letters of instructions, rules and regulations or portions thereof contrary to the provisions of this Decree are hereby deemed repealed or amended accordingly.

SEC. 4. This Decree shall take effect immediately.

Done in the City of Manila this 21st day of December, in the year of our Lord nineteen hundred and eighty-two.

(Sgd.) FERDINAND E. MARCOS
President of the Philippines

By the President :

(Sgd.) JOAQUIN T. VENUS, JR.
Deputy Presidential Executive Assistant

MALACAÑANG
MANILA

PRESIDENTIAL DECREE NO. 1947

**TO FURTHER ENCOURAGE THE PRODUCTION OF RICE, CORN
AND OTHER PRIORITY CROPS**

WHEREAS, self-sufficiency in food and other agricultural food commodities is a primary concern of the state;

WHEREAS, in line with the agricultural production program of the government, it is necessary to provide incentives for the production of rice, corn and other priority crops to the entire agricultural sector to encourage participation in the production of such crops by devoting uncultivated lands or lands planted to crops other than rice and corn to the production of these vital food commodities;

WHEREAS, it is also necessary to allay the underlying fear on the part of the landowners that lands which are planted to crops other than rice or corn but shifted to the production of rice, corn and other priority crops will be covered by the land transfer program under P.D. 27;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by the Constitution, do hereby order and decree as follows:

SECTION 1. Any private agricultural land, whether classified as landed estate or not, presently idle or devoted to crops other than rice or corn but suited to the production of rice, corn and other priority crops, which may now or hereafter be planted to or intercropped with rice, corn and other priority crops shall not be covered by the land transfer program as embodied in P.D. 27, as amended.

SEC. 2. For purposes of implementing this Decree, the Ministry of Agriculture and Food shall certify as to the previous planting of all affected lands and the shift to the hereinabove designated crops.

SEC. 3. The Ministry of Agrarian Reform and the Ministry of Agriculture and Food shall jointly promulgate such rules and regulations as may be necessary to implement this Decree.

SEC. 4. This Decree shall take effect immediately.

DONE in the City of Manila, this 29th day of June, in the year of Our Lord, nineteen hundred and eighty-four.

(Sgd.) FERDINAND E. MARCOS
President of the Philippines

By the President :

(Sgd.) JUAN C. TUVERA
Presidential Executive Assistant

EXECUTIVE ORDERS

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 8, s. 2001

ESTABLISHING THE OFFICE OF THE PRESIDENTIAL ADVISER
ON AGRICULTURAL MODERNIZATION UNDER THE
OFFICE OF THE PRESIDENT

WHEREAS, the administration of President Gloria Macapagal-Arroyo has declared agriculture modernization founded on social equity as among the main components to win the battle against poverty within the decade;

WHEREAS, there is an urgent need for all government agencies relevant to agricultural modernization to program their activities toward such end;

WHEREAS, there is a need for a coordinating body that shall coordinate, on behalf of the President, the thrust of agricultural modernization;

WHEREAS, under the Administrative Code of 1987, the President has the continuing authority to reorganize the Office of the President;

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby establish the Office of the Presidential Adviser on Agricultural Modernization (OPAAM) under the Office of the President and provide the necessary funds.

SECTION 1. *Functions of OPAAM.* — The OPAAM shall have the following functions:

a) Monitor and recommend policies, programs and other measures relating to agricultural modernization;

b) Unify and converge plans and programs of the different government agencies involved in activities related to agricultural modernization;

c) Consolidate and submit periodic reports to the President on the status of agricultural modernization programs; and

d) Perform other functions to attain the objective of agricultural modernization as the President may direct.

SEC. 2. *Organization of the OPAAM.* — The OPAAM shall be headed by a Presidential Adviser on Agricultural Modernization with a Cabinet rank. It shall have a staff which will function under the supervision and control of the Presidential Adviser on Agricultural Modernization.

SEC. 3. *Coordination with relevant agencies.* — The OPAAM shall coordinate with the following agencies for policy and program coordination relating to agricultural modernization, namely:

1. Department of Agriculture (DA)
2. Department of Agrarian Reform (DAR)
3. Department of Science and Technology (DOST)
4. Department of Trade and Industry (DTI)
5. Department of the Interior and Local Government (DILG)
6. Commission on Higher Education (CHED)
7. Department of Public Works and Highways (DPWH)
8. Department of Transportation and Communication (DOTC)
9. Such other offices as the President may designate.

SEC. 4. *Appropriation of Funds.* — The Office of the President shall release funds for the organization of the OPAAM and for its initial operations. Henceforth, funds sufficient to carry out the functions and objectives of the OPAAM shall be appropriated every fiscal year in the General Appropriations Act.

SEC. 5. *Repealing Clause.* — All executive issuances, orders, rules and regulations which are inconsistent with any provision of this Executive Order are hereby revoked, amended or modified accordingly.

SEC. 6. *Effectivity.* — This Executive Order shall take effect immediately.

City of Manila, March 26th 2001.

(Sgd.) GLORIA MACAPAGAL-ARROYO
President of the Philippines

By the President:

(Sgd.) RENATO S. DE VILLA
Executive Secretary

MALACAÑAN PALACE
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 11, s. 2010

TRANSFERRING THE NATIONAL COMMISSION ON
INDIGENOUS PEOPLES FROM THE DEPARTMENT OF
THE ENVIRONMENT AND NATURAL RESOURCES TO
THE OFFICE OF THE PRESIDENT OF THE PHILIPPINES

WHEREAS, Republic Act No. 8371, otherwise known as the “*Indigenous Peoples Rights Act*”, approved on 29 October 1997, created the National Commission on Indigenous Peoples, an independent agency under the Office of the President, as the primary government agency that will formulate and implement policies, plans and programs to promote and protect the rights and well-being of the Indigenous Cultural Communities/Indigenous Peoples and recognize their ancestral domains as well as their rights thereto;

WHEREAS, Executive Order No. 364 dated 27 September 2004, as amended, placed the National Commission on Indigenous Peoples under the Department of Agrarian Reform to consolidate in said department all concerns regarding asset reform which cover, among others, ancestral domain reform;

WHEREAS, Executive Order No. 726 dated 23 May 2008 transferred the National Commission on Indigenous Peoples to the Department of Environment and Natural Resources to help preserve the cultural and natural heritage of Indigenous Cultural Communities/Indigenous People;

WHEREAS, Executive Order No. 746 dated 01 August 2008 temporarily transferred the National Commission on Indigenous Peoples to the Office of the President for a period of six (6) months because of developments in the local and international socio-political

landscape at that time which required priority attention from the highest government authorities;

WHEREAS, the National Commission on Indigenous Peoples later reverted back to the Department of Environment and Natural Resources and is now under said department;

WHEREAS, there is an urgent need to clearly define the administrative attachment of the National Commission on Indigenous Peoples in keeping with the legislative intent, address the needs and aspirations of the Indigenous Cultural Communities/ Indigenous Peoples with regards to their rights and welfare by the highest officials of the land, and ensure consistency in policies, programs, project coordination and implementation;

WHEREAS, Section 17, Article VII of the Constitution provides that the President shall have control of all the executive departments, bureaus and offices and shall ensure that all laws be faithfully executed;

WHEREAS, Section 31 (2) and (3), Chapter 10, Title III, Book III of the Administrative Code of 1987 grants the President the continuing authority to reorganize the administrative structure of the Office of the President and for this purpose, transfer functions and agencies to the Office of the President from other departments or agencies.

NOW, THEREFORE, I, BENIGNO S. AQUINO III, President of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. *Transfer.* – The National Commission on Indigenous Peoples (NCIP) is hereby transferred from the Department of Environment and Natural Resources to the Office of the President to ensure concerted efforts in formulating and implementing policies, programs and projects geared towards the protection and promotion of the rights and welfare of Indigenous Cultural Communities/Indigenous Peoples.

SEC. 2. *Repealing Clause.* – All other executive issuances, orders, rules, regulations or parts thereof inconsistent with the provisions of this Executive Order are hereby repealed or modified accordingly.

SEC. 3. *Effectivity.* – This Executive Order shall take effect immediately upon publication in a newspaper of general circulation.

DONE in the City of Manila, this 8th day of November in the year of Our Lord, Two Thousand and Ten.

(Sgd.) BENIGNO S. AQUINO III
President of the Philippines

By the President:

(Sgd.) PAQUITO N. OCHOA, JR.
Executive Secretary

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 12, s. 1992

PROVIDING FOR THE CREATION OF THE PRESIDENTIAL
COMMISSION TO FIGHT POVERTY

WHEREAS, mass poverty is the principal problem confronting the nation today, underpinning many national problems and challenges and affecting the great majority of the population;

WHEREAS, the Constitution explicitly mandates in its declaration of principles and state policies that “the State shall promote a just and dynamic social order that will . . . free the people from poverty through policies that provide adequate social services, promote full employment, a rising standard of living, and an improved quality of life for all”;

WHEREAS, there is need to formulate a comprehensive program to address the poverty problem and design innovative ways to solve it;

WHEREAS, the government has committed itself to measurable targets and accomplishments in combatting the poverty problem;

WHEREAS, there is a need for well organized interventions that will empower the poor so that they can exercise a more vital role in their development and in the formulation of public policy;

WHEREAS, there is a need for a body which shall gather under one umbrella all government activities designed to help our poor households and communities to catch up with more progressive ones;

WHEREAS, to address poverty, the body should undertake three main types of intervention: ensure the delivery of basic social services to the poorest communities and to make sure that every poor family has a decent minimum of health, nutrition, housing and education; ensure that the poor gain access to agrarian reform, skills training and extension services that will open livelihood opportunities and jobs to them; help poor communities organize cooperatively — to empower them to take a greater role in their development and to make their voices heard in the making of public policy;

WHEREAS, efficient intervention requires ensuring access to and ownership of resource and capability building.

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the sovereign will of the Filipino people and the powers vested in me by the laws of the land, do hereby order:

SECTION 1. The Commission. — There is hereby created under the Office of the President, a Presidential Commission to Fight Poverty, hereinafter referred to as the Commission, which shall oversee all government activities on poverty alleviation to ensure pro-poor bias, focus on the poorest of the poor and most needed services, and accelerated implementation of government programs and projects.

SEC. 2. Composition. — The Commission shall be composed of the following:

- a) Executive Secretary or his designated Deputy;
- b) Secretary of Social Welfare and Development;
- c) Secretary of Interior and Local Government;
- d) Secretary of Budget and Management;

e) Director-General of the National Economic Development Authority; and

f) Three (3) representative from the private sector, to be appointed by the President.

The President shall designate the Chairman from among members of the Commission.

SEC. 3. Functions. — The Commission shall have, among others, the following functions:

a) Prepare a blue print of action that shall embody the Administration's poverty alleviation framework and translate this into short, medium and long-term targets. This shall reflect the priority action areas of the Administration;

b) Monitor the implementation and impact of government poverty alleviation programs, projects and activities;

c) Coordinate and integrate government poverty alleviation efforts;

d) Review and evaluate the level of performance of concerned agencies and activities;

e) Prod and facilitate the implementation of poverty alleviation activities;

f) Communicate to the public government's poverty alleviation activities and its impact;

g) Provide the support and assistance needed by local government units to ensure that they deliver the basic services to their respective constituencies;

h) Ensure that all government pro-poor programs build the capability of our people to be empowered and to be self-reliant.

SEC. 4. Implementing Agencies. — All existing programs and projects shall continue to be implemented by concerned agencies. The Commission shall call on any government agencies/bodies as it may deem necessary. It may set up task forces/mechanisms to address specific poverty issues.

SEC. 5. Technical/Administrative Support. — The Presidential Management Staff in coordination with the Presidential Commission on Urban Poor shall provide the technical and administrative support to the Commission.

SEC. 6. Monitoring Arm. — The Presidential Action Center shall be the monitoring arm of the Commission on the government's pro-poor programs.

SEC. 7. Effectivity. — This Executive Order shall take effect immediately.

DONE, in the City of Manila, this 15th day of August, in the year of our Lord, Nineteen Hundred and Ninety-two.

(Sgd.) FIDEL V. RAMOS
President of the Philippines

By the President:

(Sgd.) DIONISIO C. DE LA SERNA
Sr. Deputy Executive Secretary

MALACA ÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 26, s. 1998

PROVIDING OPPORTUNITIES FOR THE DEVELOPMENT OF BENEFICIARIES UNDER THE COMPREHENSIVE LAND REFORM PROGRAM TO BECOME PRODUCTIVE ENTREPRENEURS, PROVIDING THE MECHANISM THEREFOR AND FOR OTHER PURPOSES

WHEREAS, the State has launched numerous indispensable programs, projects, incentives and facilities for the realization of the desired agrarian reform;

WHEREAS, the State, thru these undertakings, has envisioned that Comprehensive Agrarian Reform Program beneficiaries shall become independent entrepreneurs of the lands conveyed to them and ultimately serve as the basis of Philippine agriculture;

WHEREAS, it has been observed that despite all these efforts and lapse of time, holders of Certificate of Land Ownership Awards have not freed themselves totally from the bondage of poverty and dependence from government subsidies;

WHEREAS, the State has now pinpointed that the monstrous impediment to the attainment of the desired objectives is the non-acceptability by financial institutions of the lands covered by Certificate of Land Ownership Award as collateral to secure agricultural loans applied for by their registered owners;

WHEREAS, allowing them to use their Certificate of Land Ownership Awards as collateral with the lending institutions will make them invulnerable from “loan sharks” and thereby transforming them into productive partners of the government;

NOW, THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. Acceptability as Loan Collateral. Lands covered by Certificate of Land Ownership Award shall now be accepted as collateral to secure loans by their registered owners, with the consent of the farmers cooperative to which he is a member, with the government financial institutions, as well as, with the private financial institutions: *Provided*, That the loan proceeds shall be used exclusively in the furtherance of the agricultural productivity of the land and related activities: *Provided, further*, That the foreclosure of the lands provided herein shall, upon failure of the mortgagor to redeem the same within the period allowed by law, be redeemed by the farmers cooperative to which the mortgagor is a member: *Provided, furthermore*, That in case of default of said cooperative, the same may be redeemed by any neighboring cooperatives or qualified beneficiaries under the Comprehensive Agrarian Reform Program: *Provided, finally*, That when the foreclosure of the mortgaged property took place after the lapse of the prohibitory period provided for under Section 27 of the Republic Act No. 6657, the same may be sold to auction to any qualified person, natural or juridical, to own a land.

SEC. 2. Loan Value. Holders of Certificate of Land Ownership Award availing of the benefits provided for under this Executive Order shall be allowed the maximum loan value provided for under Republic Act No. 337, as amended.

SEC. 3. Monitoring of Loan Proceeds. The concerned financial institution, for monitoring purposes, shall notify the Department of Agrarian Reform to ensure that the loan proceeds obtained herein shall be used solely for the productivity of the land and related activities.

SEC. 4. Penalty for Violations. The deviation by the mortgagor in the use of the loan proceeds obtained herein shall give rise for the aforesaid farmers cooperative to take over the cultivation

and management of the land subject of mortgage until the said cooperative has recovered the amount of loan, necessary expenses relative thereto, and a management fee of five (5%) percent of the produced of the land.

SEC. 5. Call on the Monetary Board. In order to realize the desired objectives of this Executive Order, the Monetary Board is hereby called upon to exempt the lands covered by the Certificate of Land Ownership Award from its authority in reducing the maximum loan ratios of the lands used as collateral to secure a loan.

SEC. 6. Repealing Clause. All Executive Order, issuances, rules and regulations, or parts thereof, inconsistent with the provisions of this Executive Order are hereby repealed or modified accordingly.

SEC. 7. Effectivity. This Executive Order shall take effect immediately.

DONE in the City of Manila, this 23rd day of September, in the year of Our Lord, Nineteen Hundred and Ninety-Eight.

(Sgd.) JOSEPH EJERCITO ESTRADA

By the President:

(Sgd.) RONALDO B. ZAMORA
Executive Secretary

MALACAÑAN PALACE
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 26, s. 2011

WHEREAS, poverty reduction, resource conservation and protection, productivity enhancement, climate change mitigation and adaptation, are among the priority programs of the government;

WHEREAS, there is a need to consolidate and harmonize all greening efforts such as Upland Development Program, Luntiang Pilipinas and similar initiatives of the government, civil society and private sector under a National Greening Program;

WHEREAS, the Department of Environment and Natural Resources (DENR) is the primary agency responsible for the conservation, management, development and proper use of the country's environmental and natural resources;

WHEREAS, the Department of Agriculture (DA) is the lead agency to boost farmers' income and reduce poverty in the rural sector;

WHEREAS, the Department of Agrarian Reform (DAR) is the lead agency in the implementation of agrarian reform and sustainable rural development programs;

WHEREAS, the DA, DENR, DAR pursuant to Joint Memorandum Circular No. 1 series 2010 have adopted a Convergence Initiative to integrate and strengthen development framework between and among national government, local government agencies and other stakeholders, wherein complementary human, physical and financial resources are efficiently and effectively deployed;

WHEREAS, Executive Order No. 23 series 2011 has mandated the DA-DAR-DENR Convergence Initiative to develop a National

Greening Program in cooperation with the Department of Education (DepEd), Commission on Higher Education (CHED), Department of Social Welfare and Development (DSWD), Department of Budget and Management (DBM), private sector and other concerned agencies and institutions.

NOW, THEREFORE, I, BENIGNO S. AQUINO III, President of the Philippines, by virtue of the powers vested in me by law, do hereby order and declare the implementation of a National Greening Program (NGP) as a government priority.

SECTION 1. Declaration of Policy. It is the policy of the State to pursue sustainable development for poverty reduction, food security, biodiversity conservation, and climate change mitigation and adaptation.

SEC. 2. Coverage. The National Greening Program shall plant some 1.5 Billion trees covering about 1.5 Million hectares for a period of six (6) years from 2011 to 2016, in the following lands of the public domain:

- 2.1 Forestlands
- 2.2 Mangrove and protected areas
- 2.3 Ancestral domains
- 2.4 Civil and military reservations
- 2.5 Urban areas under the greening plan of the LGUs
- 2.6 Inactive and abandoned mine sites; and
- 2.7 Other suitable lands

All other greening efforts of the private sector and civil society shall be harmonized under the NGP.

SEC. 3. Strategies. In order to ensure the successful implementation of the NGP, the following strategies shall be adopted:

3.1 *Social Mobilization*

3.1.1 All students, identified by the DepEd and CHED and all government employees shall be individually required to plant a minimum of ten (10) seedlings per year in areas determined by the Convergence Initiative. Private sectors and civil society groups shall likewise be encouraged to participate in the NGP.

3.1.2 With appropriate assistance from the government and the private sector, the Peoples' Organizations (POs) shall be given the primary responsibility of maintaining and protecting the established plantations.

3.2 *Harmonization of Initiatives*

3.2.1 All tree planting initiatives such as the Upland Development Program, Luntiang Pilipinas and similar activities of the government, private sector, LGUs and the civil society shall be harmonized under the NGP.

3.2.2 All government institutions, especially DA, DAR, DENR, CHED and DepEd shall produce appropriate quality seedlings annually for the NGP. Technical assistance shall be provided by DA, DENR, and DAR under the Convergence Initiative.

3.3 *Provision of Incentives*

3.3.1 All proceeds from agroforestry plantations, duly accounted by the DENR, shall accrue to the NGP beneficiary communities to address food security and poverty reduction.

3.3.2 NGP beneficiary communities shall be considered priority in the Conditional Cash Transfer (CCT) Program.

3.3.3 Appropriate incentives shall be developed by the Convergence Initiative to encourage rainforestation, particularly in the protected area.

3.4 Monitoring and Management of Database

3.4.1 The DA, DAR, DENR, shall develop a centralized database and provide regular monitoring and timely report on the progress of the NGP.

3.4.2 The Convergence Initiative shall engage the private sector, civil society and academe in the monitoring and evaluation of the NGP.

SEC. 4. Oversight Committee and Lead Agency. The members of the Steering Committee under the DA-DAR-DENR Convergence Initiative shall constitute the NGP Oversight Committee, to be chaired by the DENR. The DENR shall be the lead agency for the NGP.

SEC. 5. Partner Agencies/Stakeholders. The NGP shall be implemented in partnership with the following agencies/stakeholders, whose responsibilities shall include but not limited to the following:

5.1 DA-DAR-DENR

5.1.1 Nursery establishment and seedling production

5.1.2 Site identification and site preparation

5.1.3 Social mobilization

5.1.4 Tree planting

5.1.5 Monitoring and evaluation

5.1.6 Technical support and extension services

5.1.7 Provision of certified seeds of agronomic crops

5.1.8 Provision of access roads and trails to planting site

5.1.9 Provision of post harvest and processing facilities

5.1.10 Technical assistance in product development and marketing

5.2 Department of Education (DepEd)/Commission on Higher Education (CHED)

5.2.1 Student mobilization

5.2.2 Nursery establishment, seedling production and tree planting

5.2.3 Information, Education and Communication

5.2.4 Provision of extension services

5.2.5 Monitoring and evaluation

5.3 Department of Social Welfare and Development (DSWD)

5.3.1 Provision of Conditional Cash Transfer to NGP beneficiaries

5.3.2 Social mobilization

5.4 Department of Budget and Management (DBM)

5.4.1 Allocation of funds for all activities of the NGP

5.5 Department of Interior and Local Government (DILG)

5.5.1 Provision of transportation, security and fire protection amenities

5.5.2 Information, Education and Communication

5.6 Local Government Units (LGUs)

5.6.1 Establishment of nurseries and production of planting materials

5.6.2 Development of greening plan for urban and suburban areas

5.6.3 Lead the establishment of communal tree farms for firewood and other domestic uses

5.6.4 Construction of access roads and trails to the planting sites

5.6.5 Provision of medical support

5.6.6 Technical assistance and extension of services

5.7 Department of Health (DOH)

5.7.1 Provision of transportation and medical support

5.8 Department of Public Works and Highways (DPWH)

5.8.1 Provision of transportation in the hauling of seedlings and volunteer planters

5.8.2 Assistance in the construction of access roads and trails to the planting sites

5.9 Department of Transportation and Communications (DOTC)

5.9.1 Provision of transport for participants

5.9.2 Provision of communication facilities

5.10 Department of National Defense (DND)

5.10.1 Nursery establishment and seedling production

5.10.2 Site preparation

5.10.3 Provision of transportation support

5.10.4 Provision of security

5.11 Department of Science and Technology (DOST)

5.11.1 Development and transfer of appropriate technologies

5.11.2 Information, Education and Communication

5.12 Department of Justice (DOJ)

5.12.1 Nursery establishment and production of planting materials

5.12.2 Provision of transportation

5.13 National Commission on Indigenous Peoples (NCIP)

5.13.1 Mobilization of participation of indigenous peoples

5.13.2 Identification of sites for NGP inside ancestral domains

5.13.3 Supervision of forest protection activities inside ancestral domains

5.14 Technical Education and Skills Development Authority (TESDA)

5.14.1 Technical assistance in products development

5.15 Philippine Amusement and Gaming Corporation (PAGCOR)

5.15.1 Provision of funds for seedling production and other related activities of the NGP

5.16 All other government agencies, instrumentalities, including government-owned and controlled corporations (GOCCs), state universities and colleges (SUCs), shall provide full support and assistance to the NGP.

SEC. 6. Implementing Guidelines. All participating agencies/institutions, within fifteen (15) days from the date of this Executive Order, shall issue their respective guidelines to implement the NGP, copy furnished the NGP Oversight Committee.

SEC. 7. Funding Mechanisms. Funds needed for the implementation of the NGP for the current year shall be provided by the DBM and funding for the succeeding years shall be incorporated in the regular appropriation of participating agencies.

SEC. 8. Separability Clause. Any portion or provision of this Executive Order that maybe declared unconstitutional shall not have the effect of nullifying other provisions hereof, as long as such remaining portions can still subsist and can be given effect in their entirety.

SEC. 9. Repealing Clause. All rules and regulations and other issuances or parts thereof, which are inconsistent with this Executive Order, are hereby repealed or modified accordingly.

SEC. 10. Effectivity. This Executive Order shall take effect immediately upon its publication in a newspaper of general circulation.

DONE in the City of Manila, this 24th day of February, in the year of our Lord, Two Thousand and Eleven.

(Sgd.) BENIGNO S. AQUINO III
President of the Philippines

By the President:

(Sgd.) PAQUITO N. OCHOA, JR.
Executive Secretary

MALACAÑAN PALACE

MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 69, s. 2012

**STRENGTHENING THE PRESIDENTIAL COMMISSION FOR
THE URBAN POOR**

WHEREAS, Section 10, Article XIII of the 1987 Constitution provides that “Urban or rural poor dwellers shall not be evicted nor their dwellings demolished, except in accordance with law and in a just and humane manner;”

WHEREAS, on 29 September 2011, the Commission on Human Rights (CHR) issued an “Advisory on the Right to Adequate Housing and Humane Treatment of Informal Settlers;”

WHEREAS, Executive Order (EO) No. 82 (s. 1986), as amended, created the Presidential Commission for the Urban Poor (PCUP) under the Office of the President (OP) to coordinate the speedy implementation of government policies and programs for the urban poor;

WHEREAS, Administrative Order (AO) No. 111 (s. 1989) directed concerned government departments, agencies and offices to coordinate with PCUP and actively participate in tri-sectoral dialogues and activities concerning the urban poor;

WHEREAS, Republic Act (RA) No. 7279 otherwise known as the “Urban Development and Housing Act (UDHA) of 1992,” requires local government units (LGUs), in coordination with PCUP, to afford program beneficiaries an opportunity to be heard and to participate in the decision-making process over matters involving the protection and promotion of their collective interests;

WHEREAS, Section 28 of RA No. 7279 and its implementing rules and regulations uphold the constitutionally-guaranteed rights of the homeless and underprivileged citizens;

WHEREAS, EO No. 152 (s. 2002), as amended by EO No. 708 (s. 2008), directed PCUP to monitor all demolition and eviction activities involving the homeless and underprivileged citizens;

WHEREAS, there is a need to strengthen the mandate of PCUP to achieve the strict observance of the law and the Ten-Point Covenant of the President with the urban poor;

WHEREAS, EO No. 364 (s. 2004) placed PCUP under the supervision and control of the Department of Land Reform (DLR), now known as the Department of Agrarian Reform (DAR) by virtue of EO No. 456 (s. 2005). However, the concerns of the urban poor go beyond undertaking a continuing program of land reform and housing and shall therefore include the totality of all factors for decent living and support services designed to alleviate the plight of the urban poor; and

WHEREAS, Section 31, Chapter 10, Title III, Book III of the Administrative Code of 1987 provides for the continuing authority of the President to reorganize the administrative structure of the OP.

NOW, THEREFORE, I, BENIGNO S. AQUINO III, President of the Philippines, by virtue of the power vested in me by the Constitution and existing laws, do hereby order:

SECTION 1. Transfer of PCUP to the OP. The PCUP shall be transferred to the OP to effectively coordinate, formulate, and evaluate policies and programs concerning the urban poor.

SEC. 2. Social Preparation Activities. The PCUP shall undertake social preparation activities related to asset reform, human development and basic social services, employment and

livelihood, and other programs of the government for the urban poor.

SEC. 3. Representation in HUDCC, Key Shelter Agencies (KSAs) and in Local Housing Boards. The PCUP shall participate in policy discussions relating to the urban poor in board meetings of the Housing and Urban Development Coordinating Council (HUDCC), key shelter agencies (KSAs), Local Housing Boards (LHB) or other similar bodies.

SEC. 4. Institutional Arrangements and Support. (1) The PCUP, HUDCC, Department of Social Welfare and Development (DWSD), Department of Justice (DOJ), Department of the Interior and Local Government (DILG) and the National Anti-Poverty Commission (NAPC), in coordination with the CHR, shall jointly formulate the necessary operational mechanisms and guidelines to ensure strict compliance with Section 28 of RA No. 7279, as well as the implementation of the provisions of this Order, within forty-five (45) days from the issuance hereof.

(2) All other heads of departments, agencies, bureaus, and offices, including government-owned or controlled corporations, as well as local government units, civil society or people's organizations, shall render full assistance and cooperation and provide such other information and data as may be required to carry out its functions pursuant to this Order.

SEC. 5. Submission of Periodic Reports. The PCUP shall submit quarterly reports to the OP, relative to the status of compliance with the provisions of this Order and the pertinent provisions of the law governing eviction and demolition activities.

SEC. 6. Separability Clause. If any provision of this EO is declared invalid or unconstitutional, the other provisions unaffected shall remain valid and subsisting.

SEC. 7. Repealing Clause. All other executive issuances not consistent with the provisions of this order are hereby amended, modified, or repealed accordingly.

SEC. 8. Effectivlty Clause. This EO shall take effect immediately upon its publication in a newspaper of general circulation.

DONE, in the City of Manila, this 29th day of March, in the year of our Lord, Two Thousand and Twelve.

(Sgd.) BENIGNO S. AQUINO III
President of the Philippines

By the President:

(Sgd.) PAQUITO N. OCHOA, JR.
Executive Secretary

MALACANAN PALACE
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 75, s. 2019

DIRECTING ALL DEPARTMENTS, BUREAUS, OFFICES AND INSTRUMENTALITIES OF THE GOVERNMENT TO IDENTIFY LANDS OWNED BY THE GOVERNMENT DEVOTED TO OR SUITABLE FOR AGRICULTURE FOR DISTRIBUTION TO QUALIFIED BENEFICIARIES

WHEREAS, Section 1, Article XIII of the 1987 Constitution advances the duty of the State to enact measures that protect and enhance the right of all people to human dignity, reduce social, economic and political inequalities, and remove cultural inequities by equitably diffusing wealth and political power for the common good;

WHEREAS, Section 4, Article XIII of the 1987 Constitution declares it a policy of the State to undertake the just distribution of all agricultural lands, subject to such priorities and reasonable retention limits as the Congress may prescribe, taking into account ecological, developmental, or equity considerations, and subject to the payment of just compensation;

WHEREAS, Republic Act (RA) No. 3844 institutes policies in order to provide a vigorous and systematic land acquisition, resettlement and distribution program, and Presidential Decree No. 27 (s. 1972) orders the emancipation of all tenant farmers of private agricultural lands primarily devoted to rice and corn under a system of sharecrop or lease-tenancy;

WHEREAS, RA No. 6657, or the “Comprehensive Agrarian Reform Law of 1988,” as amended, which was enacted on 10 June 1988, implemented the agrarian reform provisions of the

Constitution by instituting the Comprehensive Agrarian Reform Program (CARP) and providing mechanisms for its implementation;

WHEREAS, pursuant to Sections 4 and 7 of RA No. 6657, as amended, lands owned by the Government devoted to or suitable for agriculture are covered under the CARP and are to be planned and programmed for acquisition and distribution by the Department of Agrarian Reform (DAR), in coordination with the Presidential Agrarian Reform Council (PARC), to the qualified beneficiaries thereunder;

WHEREAS, Executive Order (EO) No. 292, or the “Administrative Code of 1987,” vests in the DAR the following mandates:

(i) Provide central direction and coordination to the national agrarian reform program, extended to transform farm lessees and farm tenants into owner-cultivators of economic family-size farms to improve their living conditions;

(ii) Formulate and implement policies, plans and programs for the distribution and cultivation of all agricultural lands, including sugar and coconut lands, with the participation of farmers, farmworkers, landowners, cooperatives, and other independent farmers’ organizations; and

(iii) Provide leadership in developing support services to tenant-owners, farm managers, and other cultivators and render adequate assistance in finance, marketing, production and other aspects of farm management;

WHEREAS, EO No. 129-A (s. 1987) or the “Reorganization Act of the Department of Agrarian Reform,” further vests in the DAR the power to acquire, administer, distribute, and develop agricultural lands for agrarian reform purposes;

WHEREAS, EO No. 292 vests in the Department of Justice (DOJ) the mandate to act as the principal agency to administratively

settle and adjudicate all disputes, claims and controversies solely between or among the agencies of the National Government, including government-owned or -controlled corporations;

WHEREAS, EO No. 292 mandates the Department of Environment and Natural Resources (DENR) to carry out the State's constitutional mandate to control and supervise the judicious disposition, utilization, management and conservation of the country's natural resources;

WHEREAS, EO No. 292 mandates the Department of Agriculture (DA), through its Bureau of Soils and Water Management, to render assistance on matters relative to the utilization and management of soil as vital agricultural resources and formulate measures and guidelines for effective soil, land, and water resource utilization, as well as soil conservation in croplands and other agricultural areas;

WHEREAS, Section 17, Article VII of the 1987 Constitution provides that the President shall have control of all executive departments, bureaus and offices and shall ensure the faithful execution of laws;

NOW, THEREFORE, I, RODRIGO ROA DUTERTE, President of the Republic of the Philippines, by virtue of the powers vested in me by the Constitution and existing laws, do hereby order:

SECTION 1. *Acquisition of Government-Owned Agricultural Lands.* Subject to the limitations and conditions provided under applicable laws, rules and issuances, the DAR shall acquire all lands devoted to or suitable for agriculture, which are owned by the departments, bureaus, offices and instrumentalities of the Government, and which are no longer actually, directly and exclusively used or necessary for the purpose for which they have been reserved or acquired, for the purpose of eventual distribution to qualified beneficiaries.

SEC. 2. *Identification of Government-Owned Agricultural Lands.* Within thirty (30) days from the effectivity of this Order, all departments, bureaus, offices and instrumentalities of the Government shall identify their lands devoted to or suitable for agriculture and no longer actually, directly and exclusively used or necessary for the purpose for which they have been reserved or acquired, and thereafter submit a list thereof to the DAR, indicating the location and area of the said lands, actual use and legal basis of ownership.

The submission shall include certified true copies of all pertinent documents in their custody relative to the identified lands, including certificates of title or other proofs of authority to utilize the same. In case of lands which are subject of actions pending before judicial or quasi-judicial tribunals, the submission must include a report on the status of the pending action.

The DAR, in coordination with the DENR, shall cause the preparation of an inventory of government-owned lands devoted to or suitable for agriculture and no longer actually, directly and exclusively used or necessary for the purpose for which they have been reserved or acquired. Agencies whose lands are covered by such inventory shall be furnished a copy thereof.

The foregoing notwithstanding, the lands owned by the agencies as indicated in their submitted lists and those included in the inventory prepared by the DAR shall be subjected to validation under the succeeding Section.

SEC. 3. *Validation and Segregation.* The DAR, in coordination with the DA and the DENR, shall undertake the validation of lands identified pursuant to Section 2 hereof, taking into consideration their suitability for agricultural use, limitations on their use under existing laws and issuances, their respective metes and bounds, and such other relevant criteria that may be provided under the implementing rules and regulations of this Order.

SEC. 4. *Transfer and Distribution.* Subject to restrictions under applicable laws, rules and issuances, the DAR shall acquire the identified lands of concerned agencies for eventual distribution thereof to qualified beneficiaries, for cultivation or agricultural use.

SEC. 5. *Implementing Rules and Regulations (IRR).* Within sixty (60) days from the effectivity of this Order, the DAR and the DOJ shall jointly formulate the IRR regarding the validation, segregation, transfer and distribution of government-owned lands identified pursuant to Section 2 hereof, including the criteria for the validation of such lands, identification of qualified beneficiaries, and mechanisms and procedures in case of related protests or appeals.

For this purpose, the DAR and DOJ shall require the participation of the following agencies: DENR, DA, Department of National Defense, Department of Budget and Management, Department of the Interior and Local Government, Department of Public Works and Highways, Department of Trade and Industry, Department of Finance, Department of Labor and Employment, National Economic and Development Authority, National Irrigation Administration, Land Bank of the Philippines, Commission on Higher Education and the National Commission on Indigenous Peoples.

The DAR and the DOJ shall provide for an expeditious procedure for the resolution of protests involving the validation and segregation of government-owned lands identified pursuant to Section 2 hereof.

SEC. 6. *Agency Support.* All other government offices and agencies are directed to render such prompt and necessary assistance, subject to applicable laws, rules and regulations, to fully implement the provisions of this Order.

SEC. 7. *Funding.* The amount necessary for the initial implementation of this Order shall be charged against sources to be identified by Department of Budget and Management. Thereafter,

the funding requirements for the implementation of this Order shall be included in the annual budget of the concerned agencies.

SEC. 8. *Repeal.* In the event that any provision of this Order or any part hereof is declared invalid, illegal, or unconstitutional, the provisions not thereby affected shall remain in full force and effect.

SEC. 9. *Separability.* All other issuances or parts thereof that are inconsistent with the provisions of this Order are hereby repealed or modified accordingly.

SEC. 10. *Effectivity.* This Order shall take effect fifteen (15) days after its publication in the Official Gazette or a newspaper of general circulation.

DONE in the City of Manila this 15th day of February in the year of Our Lord, Two Thousand and Nineteen.

(Sgd.) RODRIGO ROA DUTERTE
President of the Philippines

By the President:

(Sgd.) SALVADOR C. MEDIALDEA
Executive Secretary

MALACAÑANG

RESIDENCE OF THE PRESIDENT
OF THE PHILIPPINES
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 76, s. 1964

CREATING THE COMMITTEE ON NON-MEMBER AGENCIES
FOR LAND REFORM

WHEREAS, there are now operating various agencies in agriculture providing essential services to that sector;

WHEREAS, these agencies exercise functions auxiliary to those to be performed by the administrative machinery of the Agricultural Land Reform Code for the attainment of the objectives of the Code; and

WHEREAS, it is essential to coordinate the related activities of such agencies and land reform machinery for the implementation of the reforms envisaged by the Code in the most economical and expeditious manner;

NOW, THEREFORE, I, Diosdado Macapagal, President of the Philippines, by virtue of the powers vested in me by law, do hereby create the Committee on Non-Member Agencies for Land Reform.

The Committee shall be composed of the heads of the following agrarian agencies:

1. The Bureau of Animal Industry
2. The Bureau of Plant Industry
3. The Bureau of Soils
4. The Bureau of Lands
5. The Bureau of Forestry

6. The Bureau of Agricultural Economics
7. The Bureau of Public Works (Irrigation Division)
8. The Presidential Assistant on Community Development
9. The Irrigation Service Unit (DPWC)

The Chairman of the National Land Reform Council shall be the Chairman of the Committee.

The Committee shall meet from time to time upon the call of the Chairman for the purpose of determining the manner and of working out ways by which the agencies represented in such Committee shall cooperate in the implementation of the reforms intended by the Agricultural Land Reform Code.

Done in the City of Manila, this 19th day of March, in the year of Our Lord, nineteen hundred and sixty-four.

(Sgd.) DIOSDADO MACAPAGAL
President of the Philippines

By the President:

(Sgd.) CALIXTO O. ZALDIVAR
Acting Executive Secretary

MALACAÑANG
MANILA

EXECUTIVE ORDER NO. 76, s. 2002

PROVIDING FOR THE IMPLEMENTATION OF THE HYBRID RICE PROGRAM, TRANSFERRING THE PHILIPPINE RICE RESEARCH INSTITUTE FROM THE DEPARTMENT OF AGRICULTURE TO THE OFFICE OF THE PRESIDENT AND FOR OTHER PURPOSES

WHEREAS, the Government is committed to the creation of one million new jobs in agriculture and fisheries under the “One Million Jobs” Program;

WHEREAS, by virtue of Administrative Order (A.O.) No. 25 dated December 12, 2001, the Government embarked on the Hybrid Rice Program and the Department of Agriculture, the Department of Trade and Industry, the National Food Authority and their respective allied agencies were authorized to accelerate and intensify the promotion of the utilization of hybrid rice technology;

WHEREAS, under the Hybrid Rice Program, hybrid rice planting targets shall cover 135,000 hectares in 2002, 200,000 hectares in 2003 and 300,000 hectares in 2004 in the major irrigated rice producing provinces;

WHEREAS, the utilization of hybrid rice technology is expected to increase productivity and create new jobs;

WHEREAS, by virtue of Executive Order No. 1061 dated November 5, 1985 as amended by Executive Order No. 60 dated November 7, 1986, the Philippine Rice Research Institute was established under the Department of Agriculture, to develop, in coordination with the University of the Philippines at Los Baños, a national rice research program so as to sustain and further improve the gains already made in rice production, improve the income

and economic condition of small rice farmers, expand employment opportunities in the rural areas, and ultimately promote the general welfare of the people through self-sufficiency in rice production;

WHEREAS, there is a need to place the Philippine Rice Research Institute under the Office of the President for closer administrative supervision and to reconstitute the Board of Trustees to enhance its effectiveness;

WHEREAS, under Section 31, Chapter 10, Title III, Book III of the Administrative Code of 1987, the President has the continuing authority to reorganize the administrative structure of the Office of the President.

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. *Lead Agency.* The Philippine Rice Research Institute (PHILRICE) shall be the primary Government agency responsible for the Hybrid Rice Program (“Program”) and the promotion of the utilization of hybrid rice technology.

The PHILRICE shall recommend to the President the designation of a Program Coordinator who shall direct, manage and supervise the day-to-day operations of the Program and the delivery of various program support interventions to the various provinces included in the Program.

The PHILRICE may call upon any agency of the Government for such assistance as may be necessary to attain the objectives and targets of the Program.

SEC. 2. *Transfer.* – The PHILRICE is hereby transferred from the Department of Agriculture (DA) to the Office of the President.

SEC. 3. *Reconstitution.* – The Board of Trustees of PHILRICE is hereby reconstituted and Section 4 of Executive Order No. 1061 dated November 5, 1985, as amended by Executive Order No. 60 dated November 7, 1986, is hereby further amended to read as follows:

“SECTION 4. *Board of Trustees.* – The corporate powers of the Institute shall be exercised, and all its business activities and properties shall be controlled by a Board of Trustees, hereinafter referred to as the Board, composed of the Presidential Adviser for One Million Jobs as *Ex-Officio* Chairman and twelve (12) other members to be appointed by the President of the Philippines upon recommendation of the Presidential Adviser for One Million Jobs. The appointive members of the Board shall serve for two (2) years.

The Board shall meet regularly at least once a month or as often as the exigencies of the service demand. The presence of at least seven (7) members shall constitute a quorum, and the majority vote of the members present, there being a quorum shall be necessary for the adoption of any resolution, rule, regulation, decision or any other act of the Board.

The members of the Board, including the Chairman, shall receive *per diem*, as the Board may determine, for each Board Meeting actually attended: *Provided*, That such *per diem* shall not exceed Two Thousand Pesos (P2,000.00) during any one month for each member. The said members shall also be entitled to reimbursable transportation and representation allowances in going to and coming from Board Meetings and transacting official business for the Institute.”

SEC. 4. *Hybrid Rice Action Teams.* – The PHILRICE shall, in coordination with the concerned agencies and provincial governments, organize Hybrid Rice Action Teams for each of the provinces included in the Program. The Hybrid Rice Action Teams shall be composed of agriculturists, agrarian reform officers, irrigation officers, representatives of the National Food Authority

and representatives of the stakeholders of the Program from the farming and business sectors.

The Hybrid Rice Action Teams shall identify suitable rice production areas, recommend partners to the farming and business sector of the rice industry, supervise production activities at the farm level, facilitate delivery of extension services and ensure the financing and marketing of the Program.

SEC. 5. *Reports.* – The PHILRICE shall submit periodic reports to the President on the status of the implementation of the Program.

SEC. 6. *Funding.* – To ensure the attainment of targets of the Program as specified in A.O. No. 25, the DA shall allocate and realign the amount of Four Hundred Fifty Million Pesos (P450 Million) from its Agricultural and Fisheries Modernization Program budget as funding support for the Program.

For the CY 2002 requirements of the Program, the Department of Budget and Management (DBM) shall ensure the timely release of funds to the DA, which shall immediately sub-allot and transfer the said funds to the PHILRICE.

For CY 2003 and CY 2004, appropriations for the Program shall be included in the budget proposal of the PHILRICE to achieve the targets of 200,000 hectares and 300,000 hectares respectively.

SEC. 7. *Repeal.* – All orders, rules, regulations and issuances, or parts thereof, which are inconsistent with this Executive Order, are hereby repealed or modified accordingly.

SEC. 8. *Effectivity.* – This Executive Order shall take effect immediately upon approval.

City of Manila, March 04, 2002.

(Sgd.) GLORIA MACAPAGAL-ARROYO
President of the Philippines

By the President:

(Sgd.) ALBERTO G. ROMULO
Executive Secretary

EO 76 s. 2002 amended EO 60 s. 1986 (sec. 1).

EO 76 s. 2002 amended EO 1061 s. 1985 (sec. 4).

MALACAÑANG
MANILA

EXECUTIVE ORDER NO. 83, s. 1998

**STRENGTHENING THE ENFORCEMENT OF THE AGRI-AGRA
LAW (PD 717) AND LAUNCHING THE NDC AGRI-AGRA
ERAP BONDS FOR RURAL DEVELOPMENT**

WHEREAS, the Government has, as a matter policy, given the highest priority to the development of the agricultural and agrarian sectors and in connection therewith, has called upon the private sector to share in the responsibility of promoting and improving the productivity of these sectors;

WHEREAS, a basic social policy has been laid by Presidential Decree No. 717, entitled "Providing an Agrarian Reform Credit and Financing System for Agrarian Reform Beneficiaries Through Banking Institutions" or the Agri-Agra Law, requiring the banking sector to allocate at least 25% of its loanable funds for agricultural credit in general, of which 10% of said loanable funds shall be made available to agrarian reform beneficiaries as defined therein;

WHEREAS, various related Republic Acts have expanded the modes of compliance by the banking sector with PD 717, to wit:

Section 9, RA 7721

Extension of development loans for educational institutions, cooperatives, hospitals and other medical services; socialized or low-cost housing and local government units without national government guarantee

Section 11(b), RA 7835

Mandatory investment of all unused Agri-Agra allocation funds in socialized and low cost housing

Section 8, RA 7900

Exemption of banks from compliance requirement of PD 717 when at least 5% of loanable funds are directly lent to farmers' association or cooperatives

WHEREAS, there is a need to increase and further improve compliance by the banking sector with the provisions of PD 717 through an alternative compliance mechanism to be able to increase the productivity of the agriculture and agrarian sectors;

WHEREAS, Section 4 of PD 717 allows the banking sector to invest in government securities declared eligible by the Bangko Sentral ng Pilipinas (BSP), and invest any portion of the amount set aside for agrarian reform credit not actually loaned out as a mechanism for alternative compliance with the requirements of PD 717;

WHEREAS, Section 9 of PD 1648, the Revised Charter of the National Development Company (NDC), authorizes NDC to issue, upon recommendation of the Secretary of Finance (DOF) and approval of the President, tax exempt bonds and securities guaranteed by the government to finance its operations;

WHEREAS, there is a need to authorize the issuance of long term bonds by NDC which shall be called NDC Agri-Agra Economic Recovery through Agricultural Productivity (ERAP) Bonds to support projects for economic growth under a revitalized rural development program undertaken by NDC in cooperation with the Department of Agrarian Reform (DAR) and the private sector;

NOW THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Republic of the Philippines, for the effective and efficient implementation of PD 717 and in order to address the government's priority program, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. Title. This Executive Order shall otherwise be known as the “Launching of the NDC Agri-Agra Economic Recovery through Agricultural Productivity (ERAP) Bonds for Rural Development.”

SEC. 2. Enforcement of PD 717 and Institution of Penalties. The BSP shall intensify the enforcement of PD 717 for the banking sector to support the credit requirements of the agricultural and agrarian reform sectors and shall institute the necessary penalties for non-compliance.

SEC. 3. Authorizing the Issuance of NDC Agri-Agra ERAP Bonds in support of Alternative Compliance Mechanisms and Rural Credit Mobilization. NDC is hereby authorized to undertake the issuance of the NDC Agri-Agra ERAP Bonds in the total amount of up to Fifty Billion Pesos (P50,000,000,000.00) which shall be guaranteed by the Republic of the Philippines.

The features of the NDC Agri-Agra ERAP bonds shall be determined and fixed by NDC in consultation with the DOF, which features shall be competitive with existing bonds and securities in circulation in the Philippine market.

The purchase or underwriting of these bonds by the banking sector shall serve as compliance by it with the provisions PD 717.

SEC. 4. Mobilization and Utilization of the Proceeds of the NDC Agri-Agra ERAP Bonds. The proceeds from the issuance of the NDC Agri-Agra ERAP Bonds, hereinafter referred to as the Fund, shall be jointly managed by NDC and DAR.

The Fund shall be used exclusively for the development of the agriculture and agrarian sectors and in the implementation of identified development priority projects of NDC and of the Department of Agriculture and Agrarian Reform for these sectors, such as but not limited to, rice production joint ventures,

establishment of food chains, livestock and agri-processing support services and facilities and similar undertakings.

Consistent with NDC's mandate as the corporate vehicle of the government, the NDC shall act as the DAR's corporate arm in the mobilization and utilization of the Fund.

SEC. 5. Implementing Rules and Regulations. The BSP, in close coordination with DOF, DAR and NDC, shall promulgate the implementing rules and regulations necessary to effectively implement, and improve compliance by the banking sector with, the provisions of PD 717 and this Executive Order.

The implementing rules and regulations shall utilize an integrated, holistic or systematic approach in defining the scope of beneficiaries of the Fund, to include but not limited to providers of production input, critical social development services or products, processors, distributors, or markets of communities which have agrarian reform beneficiaries or landless peasants.

The implementing rules and regulations shall also utilize alternative modes of fund utilization to improve the efficiency and effectiveness of projects in these sectors, to include guarantees, concessional co-financing loans, equity or quasi-equity and quasi-debt instruments in project trusts bonds or securities of qualified project enterprises, and such other modes as may be determined by the NDC and DAR.

SEC. 6. Taxation. Pursuant to Section 9, PD 1648, interest income on the Agri-Agra ERAP Bonds shall be exempt from the payment of taxes.

SEC. 7. Repealing Clause. All issuances, executive or administrative orders, and/or rules and regulations or parts thereof, which are inconsistent herewith are hereby repealed or modified accordingly.

Done in the City of Manila, this 25th day of December, in the year of our Lord, nineteen hundred and ninety eight.

(Sgd.) JOSEPH EJERCITO ESTRADA
President of the Philippines

By the President:

(Sgd.) RONALDO B. ZAMORA
Executive Secretary

MALACANAN PALACE
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 101, s. 2020

CREATING AN INTER-AGENCY TASK FORCE ON ZERO
HUNGER

WHEREAS, Section 11, Article XIII of the Constitution provides that the State shall adopt an integrated and comprehensive approach to health development, which shall endeavor to make essential goods, health and other social services available to all the people at affordable cost;

WHEREAS, Paragraph 2, Article 11 of the International Covenant on Economic, Social and Cultural Rights provides that States Parties recognize the fundamental right of everyone to be free from hunger, and shall take, individually and through international cooperation, measures to improve methods of production, conservation and distribution of food;

WHEREAS, the United Nations 2030 Agenda for Sustainable Development identifies as Sustainable Development Goal No. 2, the objective of ending hunger, achieving food security and improved nutrition, and promoting sustainable agriculture;

WHEREAS, involuntary hunger, food security, undernutrition, and child wasting, stunting and mortality, continue to be serious concerns in the country;

WHEREAS, there is a need to carefully coordinate, rationalize, monitor and assess the efforts of concerned government agencies and instrumentalities to ensure a whole-of-government approach to eradicating hunger and achieving food security; and

WHEREAS, Section 17, Article VII of the Constitution provides that the President shall have control of all executive departments, bureaus and offices, and shall ensure that the laws are faithfully executed;

NOW, THEREFORE, I, RODRIGO ROA DUTERTE, President of the Philippines, by virtue of the powers vested in me by the Constitution and existing laws, do hereby order:

SECTION 1. Creation of the Inter-Agency Task Force on Zero Hunger. The Inter-Agency Task Force on Zero Hunger (Task Force) is hereby created, to be composed of the following:

Chairperson	:	The Cabinet Secretary
Vice Chairpersons	:	Secretary, Department of Social Welfare and Development Secretary, Department of Agriculture
Members	:	Secretary, Department of Agrarian Reform Secretary, Department of Budget and Management Secretary, Department of Education Secretary, Department of Environment and Natural Resources Secretary, Department of Health Secretary, Department of Labor and Employment Secretary, Department of the Interior and Local Government Secretary, Department of Trade and Industry Secretary, Department of Science and Technology Secretary, Presidentialia Communications Operations Office Director General, National Economic and Development Authority Chairperson, Commission on Higher Education

The Task Force members may designate an alternate to represent their respective offices in their absence. Such alternate must be fully authorized to decide for and on behalf of the Task Force member.

SEC. 2. Powers and Functions of the Task Force. The Task Force shall ensure that government policies, initiatives and projects on attaining zero hunger shall be coordinated, responsive and effective. Towards this end, the Task Force shall have the following powers and functions:

a. Formulate a National Food Policy (NFP), which shall outline national priorities based on a comprehensive understanding of the problem of hunger and related issues, and shall provide a roadmap for achieving zero hunger, taking into consideration existing laws and issuances, as well as international law and treaty obligations. The NFP shall include initiatives for ending hunger, achieving food security, improving nutrition, and promoting sustainable agriculture;

b. Coordinate and rationalize the efforts of concerned government agencies and instrumentalities to ensure a whole-of-government approach to attaining zero hunger;

c. Monitor and evaluate, through the identification of key performance indicators, the government's progress in ending hunger, achieving food security, improving nutrition, and promoting sustainable agriculture;

d. Create technical working groups from among its member-agencies to address particular concerns relative to the implementation of this Order;

e. Prepare and submit to the President annual reports on the state of hunger, food security, nutrition and agricultural production in the country, as well as the Task Force's initiatives and recommendations relative thereto; and

f. Perform such other functions as may be directed by the President.

SEC. 3. Secretariat. The Task Force shall have a Secretariat to be composed of personnel from its member-agencies, which shall provide administrative, operational and technical assistance to the Task Force.

SEC. 4. Support of Government Agencies. The Task Force may enlist the support and assistance of other government agencies and instrumentalities in the attainment of the objectives of this Order. Local government units are enjoined to render such necessary assistance to the Task Force in the implementation of this Order.

SEC. 5. Funding. The initial funding requirements for the implementation of this Order shall be charged against the current appropriations of the member-agencies of the Task Force. The budgetary requirements for the succeeding years shall be included in the annual budget proposals of the concerned agencies.

SEC. 6. Separability. If any provision of this Order is declared invalid or unconstitutional, the remaining provisions not affected thereby shall continue to be in full force and effect.

SEC. 7. Repeal. Orders and issuances inconsistent with this Order are hereby repealed or amended accordingly.

SEC. 8. Effectivity. This Order shall take effect immediately.

DONE, in the City of Manila, this 10th day of January, in the year of our Lord, Two Thousand and Twenty.

(Sgd.) RODRIGO ROA DUTERTE
President of the Philippines

By the President:

(Sgd.) SALVADOR C. MEDIALDEA
Executive Secretary

MALACAÑANG
MANILA

EXECUTIVE ORDER NO. 124, s. 1993

ESTABLISHING PRIORITIES AND PROCEDURES IN
EVALUATING AREAS PROPOSED FOR LAND CONVERSION
IN REGIONAL AGRI-INDUSTRIAL CENTERS/REGIONAL
INDUSTRIAL CENTERS, TOURISM DEVELOPMENT
AREAS AND SITES FOR SOCIALIZED HOUSING

WHEREAS, EO 129-A and RA 6657 or the Comprehensive Agrarian Reform Law empower the Department of Agrarian Reform (DAR) to approve or disapprove land use conversion;

WHEREAS, RA 7160 or the Local Government Code of 1991 empowers cities and municipalities to reclassify agricultural lands to non-agricultural uses and formulate their comprehensive land use plans;

WHEREAS, RA 7279 of the Urban Development and Housing Act of 1992 mandates the various local government units to identify sites for socialized housing and their integration into Comprehensive Land Use Plans and Zoning Ordinances of their respective cities or municipalities;

WHEREAS, Administrative Order 20 or Interim Guidelines on Agricultural Land Use Conversion (Series 1992) provides that all irrigated and economically irrigable lands covered by irrigation projects with firm funding commitments shall be non-negotiable for conversion;

WHEREAS, the Medium Term Philippine Development Plan (MTPDP), 1993-1998, identifies major industrial and tourism development programs that would promote development in the different regions of the country;

WHEREAS, LOI 1350 Providing for the Institutional Framework for National Physical Planning mandates the creation of the National Land Use Committee to serve as the coordinative mechanism for land use and physical planning at the national and regional levels;

WHEREAS, EO 72 Providing for the Preparation and Implementation of the Comprehensive Land Use Plans of Local Government Units Pursuant to the Local Government Code of 1991 and Other Pertinent Laws mandates the establishment of a Provincial Land Use Committee in every province to assist the Sangguniang Panlalawigan in reviewing the comprehensive land use plans of component cities and municipalities;

WHEREAS, while there is a need to allocate land for non-agricultural areas, there is also a need to promote the judicious use of land and other physical resources based on the principle of sustainable development;

WHEREAS, priorities and procedures for evaluating areas for land conversion are being established for the purpose of preserving prime agricultural lands while at the same time facilitating the conversion process for priority government projects as identified in the MTPDP as well as guiding developments in various parts of the country;

NOW THEREFORE, I, FIDEL V. RAMOS, President of the Philippines, by virtue of the powers vested in me by law do hereby direct the compliance by all agencies and local government units concerned of the following:

SECTION 1. Definition of Priority Development Areas Land Conversion.

Priority development areas for land conversion are (a) specific sites in regional agri-industrial centers/regional industrial centers (RAICs/RICs) identified by the Department of Trade and Industry (DTI) and the Department of Agriculture (DA); (b) tourism

development areas (TDAs) identified by the Department of Tourism (DOT) as indicated in the current Medium Term Philippine Development Plan, and (c) sites identified by the local government units (LGUs) for socialized housing, which are presently used for agricultural purposes and which need conversion approval from the Department of Agrarian Reform (DAR).

SEC. 2. Institutional Mechanisms and Procedures for Evaluation of Priority Development Areas.

2.1. Sites in RAICs/RICs and Tourism Development Areas

(a) The Regional Land Use Committees (RLUCs) shall be primarily responsible for the evaluation of priority development areas for land conversion as identified by the DTI, DA and DOT. The evaluation shall be undertaken in close coordination with Local Government Units (LGUs) concerned. For this purpose, the Regional Development Councils (RDCs) and the Cordillera Executive Board (CEB) of the Cordillera Administrative Region (CAR) are hereby ordered to convene their respective RLUCs. The Regional Planning and Development Board (RPDB) of the Autonomous Region in Muslim Mindanao (ARMM) is likewise ordered to do the same.

(b) The Regional Director of the National Economic and Development Authority shall serve as Chairman of the RLUC, except in the case of the ARMM where the Head of the Regional Planning and Development Office (RPDO) shall serve as the RLUC Chairman. The RLUCs shall have as members the Regional directors of the Departments of Agriculture, Agrarian Reform, Environment and Natural Resources, Interior and Local Governments, Public Works and Highways, Science and Technology, Transportation and Communications, Trade and Industry, Tourism, and the Housing and Land Use Regulatory Board. In addition, it shall have two representatives from non-government organizations, people's organizations and the private sector to be selected by their respective RDC, CEB or RPDB. For this purpose, the Housing and Urban Development Coordinating Council (HUDCC) shall be the

Co-Chairman. In addition, a Vice-Chairman shall be selected from among the members of the RLUC.

(c) The RLUCs are empowered to call upon any government agency, including government owned or controlled corporations and other government entities, to assist in their work.

(d) The RLUCs and concerned government agencies shall evaluate whether the priority development areas for land conversion are: i) non-negotiable for conversion, as provided for in AO 20, s. 1992, as determined by the Department of Agriculture (DA); and ii) already distributed subject to Sec. 65 of RA 6657 or covered by a notice of acquisition or voluntarily offered for coverage under the Comprehensive Agrarian Reform Program (CARP), as determined by the DAR. In case a site falls within these areas, alternative industrial or tourism sites shall be identified by the RLUC in close coordination with concerned LGU and lead agencies.

(e) The RLUCs, through their respective RDCs, CEB or RPDB, shall submit their recommendations to the National Land Use Committee (NLUC) within three months upon submission of the proposed sites. Thereafter, the NLUC shall make the necessary recommendations for the review and approval of the DAR Secretary.

2.2 Sites for Socialized Housing

(a) The local government units, through the Local Development Council Technical Secretariat, in coordination with the HUDCC, National Housing Authority (NHA), the Housing and Land Use Regulatory Board (HLURB), the National Mapping Resource and Information Authority (NAMRIA), the Department of Environment and Natural Resources (DENR)/Land Management Bureau (LMB) shall identify lands for socialized housing for the immediate and future needs of the underprivileged and homeless. For this purpose, the City Planning and Development Office/Municipal Planning and Development Office (CPDO/MPDO) shall use the site selection criteria provided under the "Guidelines for the Inventory of Lands

and Sites for Socialized Housing” under RA 7279 as circularized in DILG Memorandum Circular No. 90-03 dated 06 January 1993.

(b) In component cities and municipalities, the Provincial Land Use Committee (PLUC), organized pursuant to EO No. 72 s. 1993, shall assist the Sangguniang Panlalawigan in the review and evaluation of sites identified as suitable for socialized housing.

In highly urbanized and independent component cities, the RLUC shall review and evaluate sites identified as suitable for socialized housing.

(c) The RLUC/PLUC shall evaluate whether the identified sites for socialized housing subject for land conversion are: i) non-negotiable for conversion, as provided for in AO 20 s. 1992, as determined by the DA; and (ii) already distributed subject to Sec. 65 of RA 6657 or covered by a notice of acquisition or voluntarily offered for coverage under the CARP, as determined by the DAR. In case a site falls within these areas, alternative sites for socialized housing shall be identified by the LGU concerned.

(d) The RLUC/PLUC shall call upon the concerned CPDO/MPDO or any government agency, including government owned or controlled corporations and other government entities, to assist in its work.

(e) The PLUC shall submit the results of its evaluation to the Sangguniang Panlalawigan within 3 months upon submission of the proposed sites identified by the LGUs. The Sangguniang Panlalawigan shall in turn submit the recommended sites for socialized housing which need land use conversion to the DAR Secretary for consideration. Likewise, the RLUC shall submit the results of its evaluation to their respective RDC, CEB, or RPDB within 3 months upon receipt of the proposed sites identified by the concerned LGUs. The RDC, CEB or RPDB shall then submit the recommended sites for socialized housing which need land use conversion to the DAR Secretary for consideration.

SEC. 3. All priority development areas shall form part of the maximum allowable limits provided under Sec. 20 of RA 7160. Furthermore, in case the total agricultural land area of a specific site exceeds the maximum allowable limits as provided for in Sec. 20 of the LGC, as determined by the HLURB in coordination with the DA and DAR, the NEDA Secretariat shall make the necessary recommendation to the President.

SEC. 4. The DAR, DA and the NEDA Secretariat, in coordination with concerned agencies shall conduct an annual review of the mechanism and the process for evaluation as well as the status of conversion in regional agri-industrial center/regional industrial centers, tourism development areas, and sites for socialized housing. If, in the course of said review, the need to utilize irrigable lands or non-viable irrigated systems for non-agricultural purposes becomes evident, the Cabinet Cluster on Agri-Industrial Development may recommend their utilization for non-agricultural purposes, subject to the conditions agreed upon by the Cluster, and subject further, to final approval by the President.

SEC. 5. All other applications for land conversion shall continue to be governed by existing rules and procedures of the DAR.

SEC. 6. The DAR and the NEDA Secretariat shall jointly issue guidelines to implement this Order.

SEC. 7. This Order shall take effect immediately.

DONE in the City of Manila, this 8th day of September, in the year of our Lord nineteen hundred and ninety three.

(Sgd.) FIDEL V. RAMOS
President of the Philippines

By the President:

(Sgd.) TEOFISTO T. GUINGONA, JR.
Executive Secretary

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 127, s. 1999

CONSTITUTING THE COUNCIL FOR EXTENSION, RESEARCH
AND DEVELOPMENT IN AGRICULTURE AND FISHERIES

WHEREAS, it is a declared policy of the State to promote research and development to attain national development goals;

WHEREAS, the Agriculture and Fisheries Modernization Act of 1997 (RA 8435) mandates the Department of Agriculture (DA), in coordination with the Department of Science and Technology (DOST) and other concerned agencies, to enhance, support and consolidate existing national research and development system in agriculture and fisheries;

WHEREAS, there is a need for an effective mechanism to undertake the integration of all agriculture and fisheries extension and research and development (R & D) efforts of the government;

NOW, THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. Constitution of the Council for Extension, Research and Development. The Council for Extension, Research and Development in Agriculture and Fisheries, hereinafter referred to as CERDAF, is hereby constituted.

The CERDAF shall be composed of the following:

- | | |
|--|---------------|
| a. Secretary of Agriculture | Chairman |
| b. Secretary of Science and Technology | Vice Chairman |

- | | |
|---|--------|
| c. Secretary of Environment and Natural Resources | Member |
| d. Secretary of Agrarian Reform | Member |
| e. Director-General of the National Economic and Development Authority | Member |
| f. Chairman of the Commission on Higher Education | Member |
| g. Executive Director of the Philippine Council for Agriculture, Forestry, Natural Resources Research and Development | Member |
| h. Executive Director of the Philippine Council for Aquatic and Marine Research and Development | Member |
| i. President of the League of Provinces | Member |
| j. President of the League of Municipalities | Member |
| k. National Chairman of the Fisheries and Aquatic Resources Management Council | Member |
| l. President of the Chamber of Fisheries and Aquatic Resources of the Philippines | Member |
| m. Two representatives from the academe | Member |
| n. One representatives each from a national farmers organization and a national fisherfolk organization | Member |
| o. One representative each from the crops, livestock and processing sectors | Member |
| p. Three research, development and extension experts | Member |

The academe shall be represented by heads of national universities specializing in agriculture and fishery.

The representatives from the academe, farmers and fisherfolk organization, crops, livestock and processing sectors, and the R & D experts shall be appointed by the Chairman as recommended by the other members of CERDAF.

SEC. 2. Functions. The CERDAF shall have the following functions:

a. Enhance coordination of government institutions involved in agriculture and fisheries R & D and extension, and pursue the integration of R & D and extension efforts of the government;

b. Encourage the participation of the private sector in the development of a national R & D and extension agenda;

c. Prepare and oversee the implementation of a more comprehensive and responsive R & D and extension program for agriculture and fisheries to enhance and make full use of the National Research and Development System in Agriculture and Fisheries (NARDSAF) and the National Extension System for Agriculture and Fisheries (NESAF), our national network on R & D and extension, respectively, established under RA 8435;

d. Set policies that will promote agriculture and fishery R & D and extension, and govern Philippine relation with international institutions involved in R &D;

e. Approve the allocation of funds from local and foreign sources for R & D and extension programs, projects and activities;

f. Adopt policies to strengthen the institutional efficiency of the national R & D and extension system, including the setting up of a monitoring and evaluation system on the effectiveness and efficiency of its various components;

g. Review and approve national R & D and extension plans and programs developed by the NARDSAF and NESAF;

h. Create committees, technical working groups and commodity items to facilitate the accomplishment of CERDAF's objectives; and

Formulate implementing rules and regulations as may be necessary to carry out its functions.

SEC. 3. Secretariat. The Bureau of Agricultural Research and the Agricultural (BAR) and the Agricultural Training Institute (ATI) shall serve as the secretariat of the CERDAF.

The BAR shall provide technical and administrative support for R & D activities of the CERDAF, while the ATI shall provide assistance on extension and training matters. The specific functions of the BAR and the ATI shall be in accordance with the implementing rules and regulations of RA 8435.

To upgrade the capabilities of BAR and ATI staff, they shall undertake the following:

a. Develop a staffing pattern, based on the science and technology career system for its technical personnel to be approved by CERDAF, and thus entitle its staff to a system of benefits equivalent to those enjoyed by the science and technical personnel of the Department of Science and Technology;

b. Draw from state colleges and universities, institutes and centers, scientists, professors, technical experts, for detail or secondment at BAR and ATI to accelerate the upgrading of their technical competence; and

c. Provide detailed staff an honoraria system based on the Magna Carta for Science and Technical Personnel or at least 75 percent of their basic pay at their mother units for those detailed on a full-time basis.

SEC. 4. Relationship of CERDAF with Other Multi-Sectoral Councils and Other Agencies under the Department of Agriculture. The CERDAF shall collaborate with the Philippine Council for Agriculture, Forestry, Natural Resources Research and Development (PCARRD), the Philippine Council for Aquatic and Marine Research and Development (PCAMRD) and other concerned agencies and institutions in the following areas:

a. Formulation of R & D agenda and programs;

b. Screening of proposals and monitoring of ongoing R & D projects in the country;

c. Development of methodologies and systems for effective R & D planning in agriculture and fisheries, emphasizing the quality and intensity of participation of farmers, fishers and the private sector in setting the R & D and extension agenda and the allocation of resources;

d. Development of output-oriented performance standards for staff, institutions and programs in agriculture and fisheries R & D;

e. Establishment of an efficient and effective computerized system of monitoring and evaluation of R & D staff and institutions, including database required for the assessment of research excellence, performance and capacity;

f. Development and administration of a career development program and a unified merit promotion system for scientific and technical personnel in agriculture and fishery R & D and extension;

g. Development and administration of an incentive system to support high quality scientific journals in agriculture and fishery;

h. Development of a human resource maintenance system for providing incentives and benefits to technical and scientific personnel in agriculture and fishery to ensure that agriculture and fishery institutions gain and maintain a competitive edge in attracting and maintaining their staff;

i. Provision of technical assistance in the improvement of institutional and staff capabilities; and

j. Formulation of guidelines in planning and implementation of agriculture and fisheries research.

SEC. 5. Funding. The funds required to operate CERDAF shall be drawn from the appropriations of the Department of Agriculture.

SEC. 6. Repealing Clause. All other laws, decrees, orders, rules and regulations or parts thereof inconsistent with the provisions of this Executive Order are hereby repealed or amended accordingly.

SEC. 7. Effectivity. This Executive Order shall take effect immediately.

DONE in the City of Manila, this 22nd day of July in the Year of Our Lord, Nineteen Hundred and Ninety Nine.

(Sgd.) JOSEPH EJERCITO ESTRADA
President of the Philippines

By the President:

(Sgd.) RONALDO B. ZAMORA
Executive Secretary

OFFICE OF THE PRESIDENT
OF THE PHILIPPINES
Malacañang

EXECUTIVE ORDER NO. 129, s. 1987

**REORGANIZING THE MINISTRY OF AGRARIAN REFORM AND
FOR OTHER PURPOSES**

RECALLING that the reorganization of the government is mandated expressly in Article II, Section I (a), and Article III of the Freedom Constitution;

HAVING IN MIND that, pursuant to Executive Order no. 5 (1986), it is directed that necessary and proper changes in the organizational and functional structures of the government, its agencies and instrumentalities, be effected in order to promote efficiency and effectiveness in the delivery of public services;

TAKING NOTE that the agricultural sector of the Philippine economy has been the prime mover of economic growth;

CONVINCED that the agrarian sector, in its present state, requires a thoroughgoing transformation in order to be more effective in fulfilling its primary role in sustained national development;

CONSIDERING that an expanded and comprehensive agrarian reform program is viewed by the new government as the main strategy for democratizing ownership and control of all agricultural lands;

AFFIRMING that in order to ensure the effective implementation of this comprehensive agrarian reform program, there is an urgent need to expand the functions and strengthen the machinery of the Ministry of Agrarian Reform;

NOW, THEREFORE, I, CORAZON C. AQUINO, President of the Philippines, by virtue of the powers vested in me by the

sovereign will of the Filipino people and the Freedom Constitution, do hereby order:

SECTION 1. Title. This Executive Order shall otherwise be known as the Reorganization Act of the Ministry of Agrarian Reform.

SEC. 2. Reorganization. The Ministry of Agrarian Reform hereinafter, referred to as Ministry, is hereby reorganized, organizationally and functionally, in accordance with the provisions of this Executive Order.

SEC. 3. Declaration of Policy. It is the declared policy of the State to completely abolish all remnants of feudalism and all other types of unjust tenurial arrangements, implement a comprehensive agrarian reform program, increase the productivity of the direct producers, and strengthen the agricultural base for increased industrialization.

Pursuant to this policy, the State shall:

(a) Establish owner-cultivated, economic, family-size farms and collectively-owned/cooperatively-cultivated farms as the foundation of Philippine agriculture;

(b) Prohibit absentee land ownership;

(c) Rechannel and divert landlord capital in agriculture to industrial development;

(d) Assist in the preservation and conservation of prime lands for agricultural purposes;

(e) Encourage the establishments and protect the autonomy and independence of institutions of farmers and farmworkers that will safeguard their interests and ensure their dignified existence, free from pernicious restraints and practices;

(f) Create just and viable socio-economic structures in agriculture conducive to greater productivity and higher incomes through the cooperative system of production, processing, marketing, distribution, and credit services;

(g) Accelerate the agrarian reform program and develop agrarian communities for full utilization of land and for human growth and development;

(h) Institutionalize partnerships between government and organizations of farmers and farmworkers in agrarian reform policy formulation, program implementation and evaluation;

(i) Provide specific investment opportunities, alternative employment, and other incentives for landowners affected by agrarian reform;

(j) Ensure adequate funding support for the agrarian reform program as well as timely, affordable, and appropriate financing schemes to its beneficiaries;

(k) Implement an agricultural land tax scheme that will prevent land hoarding and/or speculation.

SEC. 4. Mandate. The Ministry shall be responsible for implementing the new agrarian reform program and, for such purpose, it is authorized to:

(a) Acquire, determine the value of, subdivide into family-size farms or organize into collective or cooperative farms and develop private agricultural lands for distribution to qualified tillers, actual occupants, and displaced urban poor;

(b) Administer and dispose of all cultivable portions of the public domain proclaimed/reserved as resettlement areas for agricultural purposes by the President;

(c) Acquire, by purchase or grant, real estate properties suited for agriculture that have been foreclosed by the national government;

(d) Undertake land consolidation, land reclamation, land forming, and conservation in areas subject to agrarian reform;

(e) Compensate the landowners covered by agrarian reform;

(f) Issue emancipation patents to farmers and farmworkers who have been given lands under the agrarian reform program as may be provided for by law;

(g) Provide free legal services to agrarian reform beneficiaries and resolve agrarian conflicts and land tenure problems;

(h) Develop and implement alternative land tenure systems such as cooperative farming and agro-industrial estates, among others;

(i) Undertake extensive information and education programs on agrarian reform among the beneficiaries, the government sector, and the general public;

(j) Undertake land use management and land development studies and projects in agrarian reform areas;

(k) Approve or disapprove the conversion, restructuring or readjustment of agricultural lands into non-agricultural uses;

(l) Monitor and evaluate the progress of agrarian reform implementation;

(m) Assist the Office of the Government General Counsel (Office of the Solicitor General) in providing evidence for the reversion proceedings to be filed with respect to lands of the public domain, occupied by private individuals and their tenants or farm workers which are subject to land reform, and real rights connected

therewith which have been acquired in violation of the Constitution or the public land laws, or through corrupt practices; no transfer or disposition of such lands or real rights shall be allowed until after the lapse of one year from the ratification of the new Constitution;

(n) Submit progress reports to the Office of the President, to Congress, and to the people at the end of each year and at all times make available to the general public information on the current status of its programs.

SEC. 5. Powers and Functions. Pursuant to the mandate of the Ministry, and in order to ensure the successful implementation of the expanded and comprehensive agrarian reform program as envisioned in this Executive Order is hereby authorized to:

(a) Advise the President on the promulgation of executive/administrative orders, other regulative issuances and legislative proposals designed to strengthen agrarian reform and protect the interests of the beneficiaries thereof;

(b) Implement all agrarian laws, and for this purpose, issue subpoena, subpoena duces tecum, writs of execution of its decisions, and other legal processes to ensure successful and expeditious program implementation; the decision or order of the Ministry is immediately executory even if it is appealed, unless enjoined by a restraining order or writ of preliminary injunction, as the case may be, issued by the proper appellate agency or courts;

(c) Establish and promulgate operational policies, rules and regulations and priorities for agrarian reform implementation;

(d) Coordinate program implementation by the Ministry of Agrarian Reform, the Land Bank of the Philippines, and other relevant civilian and military government agencies mandated to support the agrarian reform program;

(e) Acquire, administer, distribute, and develop private agricultural lands covered by the agrarian reform program;

(f) Undertake surveys of lands covered by agrarian reform;

(g) Issue emancipation patents to farmers and farm workers covered by agrarian reform for both private and public lands and, when necessary, make administrative corrections of the same;

(h) Provide free legal services to agrarian reform beneficiaries and resolve agrarian conflicts and land-tenure related problems as may be provided for by law;

(i) Promote the organization and development of cooperatives and other associations of agrarian reform beneficiaries;

(j) Conduct continuing education and promotion programs on agrarian reform for beneficiaries, landowners, government personnel, and the general public;

(k) Institutionalize the participation of farmers, farm workers, other beneficiaries, and agrarian reform advocates in agrarian reform policy formulation, program implementation, and evaluation;

(l) Have exclusive authority to approve or disapprove conversion of agricultural lands for residential, commercial, industrial, and other land uses as may be provided for by law;

(m) Call upon any government agency, including the Armed Forces of the Philippines, and non-governmental organizations (NGOs) to extend full support and cooperation to program implementation;

(n) Exercise such other powers and functions as may be provided for by law or assigned by the President, to promote efficiency and effectiveness in the delivery of public services.

SEC. 6. Minister of Agrarian Reform. The authority and responsibility for the exercise of the mandate of the Ministry and for the discharge of its powers and functions shall be vested in the

Minister of Agrarian Reform, hereinafter referred to as Minister, who shall have supervision and control over the Ministry and shall be appointed by the President.

SEC. 7. Office of the Minister. The Office of the Minister shall be composed of the Minister and his immediate staff.

SEC. 8. Deputy Ministers. The Minister shall be assisted by three (3) Deputy Ministers, appointed by the President upon the recommendation of the Minister, one for field operations, one for services and one for staff bureaus.

SEC. 9. Assistant Ministers. The Minister shall also be assisted by seven (7) Assistant Ministers, appointed by the President upon the recommendation of the Minister, one to head the Research and Planning Service, one to head the Finance and Physical Assets Management Service, one to head the Administrative, Personnel and Management Service, one to head the Legal and Public Assistance Service, and one each for the Area Office Luzon, Visayas, and Mindanao.

SEC. 10. Organizational Structure. The Ministry, in addition to the Ministry Proper comprising the Offices of the Minister, Deputy and Assistant Ministers, and the services, shall consist of its Bureaus, Regional Field Offices, Provincial Offices, Team Offices, Action Groups, and attached agencies.

SEC. 11. Services of the Ministry. The Services of the Ministry shall be as follows:

(a) The Research and Planning Service, which shall be responsible for coordinating and initiating the development, integration and prioritization of plans, programs, and projects of the Ministry for judicious allocation of resources and effective and efficient implementation by the field units; it shall also be responsible for coordinating or initiating research, monitoring, evaluation and maintaining a statistics center in relation to agrarian reform program implementation;

(b) The Finance and Physical Assets Management Service, which shall be responsible for proper and timely allocation of funds to support approved programs, projects, and activities, the appropriate control and accounting of funds including management improvement and control, and the management of the physical assets of the Ministry;

(c) The Administrative, Personnel and Management Service, which shall be responsible for providing the Ministry with effective, efficient and economical services relating to personnel management, career development, welfare, and administrative services, and management systems;

(d) The Legal and Public Assistance Service, which shall be responsible for the review of contracts and other legal matters, the rendition of legal assistance to ministry personnel and to the public, and the performance of public relations functions.

SEC. 12. Bureaus. The Ministry shall have the following staff bureaus:

(a) The Bureau of Land Acquisition and Distribution, which shall be responsible for the development of policies, plans, programs, standard operating procedures and for providing functional supervision and technical assistance relative to the acquisition and distribution of private agricultural lands covered by the agrarian reform program, including land-tiller-landowner identification, land valuation, and landowners' compensation, transfer of ownership to actual tillers, leasehold arrangements, stewardship, and land transfer actions;

(b) The Bureau of Land Development, which shall be responsible for the development of policies, plans, and programs, and for providing functional and technical assistance relative to land surveys, land use, capability, and classification, engineering services, and land consolidation;

(c) The Bureau of Agrarian Legal Assistance, which shall be responsible for developing guidelines, plans and programs for legal assistance and for providing legal services for agrarian clientele, including developing, maintaining, and coordinating para-legal services for agrarian reform beneficiaries;

(d) The Bureau of Agrarian Reform Information and Education, which shall be responsible for developing and conducting continuing training and education programs for the acquisition of knowledge, and development of skills and favorable attitudes among beneficiaries and personnel of the Ministry and other agencies, and the increase of awareness, participation, and acceptance of agrarian reform by the public through the dissemination of information and communication materials;

(e) The Bureau of Agrarian Reform Beneficiaries Development, which shall be responsible for the development of plans, programs, and policies, and for providing functional and technical assistance relative to the development of settlement areas into viable agrarian communities; it shall also be responsible for promoting the organization of agrarian reform beneficiaries, liaison with farmer and farm worker organizations to ensure the raising of farm incomes, the promotion of all forms of farm cooperation, the achievement of a dignified existence and the creation of a viable economic structure conducive to greater productivity and higher farm income.

SEC. 13. Regional Field Offices. The Ministry shall have twelve (12) Regional Offices. Each Regional Office shall be headed by a Regional Director.

The Regional Office shall be responsible for supervising the implementation of laws, policies, plans, programs, projects, rules, and regulations of the Ministry in its administrative region. For such purposes, it shall have the following functions:

(a) Prepare and submit plans and programs for the region on:

(1) Land acquisition and distribution;

- (2) Information and education;
- (3) Land use management and land development;
- (4) Legal and para-legal services; and
- (5) Agrarian reform beneficiaries development;

(b) Provide technical assistance to Provincial Offices, Agrarian Reform Teams, and Action Groups in the implementation of approved plans and programs;

(c) Conduct operations research and evaluation of agrarian reforms implementation within the region;

(d) Coordinate with other government and private agencies and farmer and farm workers organizations at the regional level, to carry out programs/projects for the general welfare of agrarian reform beneficiaries;

(e) Maintain an information system in coordination with the established monitoring system;

(f) Review and evaluate reports and other documents submitted by the Provincial and Team Offices, Action Groups, and agrarian-reform clientele;

(h) Submit periodic feedback as may be necessary in the service of the Ministry's clientele.

SEC. 14. Provincial Offices. The Ministry shall have Provincial Offices as may be necessary in promoting efficiency and effectiveness in the delivery of public services. Each Provincial Office shall be headed by a Provincial Agrarian Reform Executive Officer.

The Provincial Office shall be responsible for directing and coordinating the operations and activities of the Agrarian Reform Teams and Action Groups operating within the province and has the following functions:

(a) Set priorities, specific targets, schedules, and deadlines for the execution of approved plans, programs, and projects on:

(1) Land acquisition, distribution, transfer of land ownership to actual tillers, including land-tiller-landowner identification, tenurial security, leasehold arrangements, land surveys, land valuation and landowners' compensation as may be provided for by law;

(2) Continuing information and education programs on agrarian reform;

(3) Encouraging the organization and development of agrarian reform beneficiaries' cooperatives and other associations and institutionalizing farmer-government partnership in agrarian reform policy formulation, program implementation, and evaluation;

(4) Landowners' compensation and rechanneling landowner capital to industrial development;

(5) Development and implementation of alternative land tenure systems such as cooperative farming, cooperative-cultivatorship schemes, and agro-industrial estates, among others;

(6) Land use management;

(7) Compact farming, integrating farming system, sloping agricultural land technology, and other land conservation measures in agrarian reform areas, in coordination with farmer and farm workers organizations;

(8) Provision for legal services to farmers covered by agrarian reform and resolution of agrarian conflicts and land tenure problems;

(b) Provide administration services to the Agrarian Reform Teams and Action Group within the province;

(c) Provide legal services to agrarian reform beneficiaries in cases arising from or connected with agrarian reform disputes, handling of expropriation proceedings, registering cooperatives and reviewing and acting on all matters initially investigated and elevated by Agrarian Reform Teams;

(d) Provide technical assistance to Agrarian Reform Teams and Action Groups in the implementation of approved plans and programs;

(e) Coordinate with government, private agencies, and farmer and farm worker organizations at the provincial level, to carry out programs;

(f) Conduct periodic performance audit survey in collaboration with the regional office and monitor agrarian reform program accomplishments, including operational problems and constraints, and recommend appropriate remedial measures for effective program implementation;

(g) Perform such other functions as may be necessary in the service of the Ministry's clientele.

SEC. 15. Team Offices and Action Groups. The Ministry shall have as many team offices as necessary to cover several municipalities. Each Team Office is to be headed by a Team Manager and shall be composed of several Action Groups.

The Team Office shall be responsible for directly implementing agrarian reform programs and delivering expected results. For such purpose, it shall have the following functions:

(a) Implement policies and programs on land acquisition and distribution and transfer of landowners to actual tillers, including identification of farms, landowners, and beneficiaries, leasehold arrangements, land valuation, landowner's compensation and transfer actions as determined in accordance with law;

(b) Undertake continuing information and education programs on agrarian reform among the beneficiaries thereof;

(c) Encourage and promote the organization and development of agrarian reform beneficiaries and assist in the registration of organized cooperatives;

(d) Institutionalize beneficiaries' participation in agrarian reform policy formulation and program implementation;

(e) Organize/establish compact farms, land consolidation, integrated farm systems, sloping agricultural land technology and other cooperative-cultivate-cultivatorship schemes;

(f) Provide assistance in agrarian reform research;

(g) Provide assistance to various legal services, including legal information and legal counselling, documentation and preliminary processing of applications for patents and applications to purchase lots, preliminary investigation of conflicting claims of lot boundaries and appraisal of properties, and mediation of different problems arising from tenancy relationships; execution and registration of lease contracts, initial investigation of administrative cases, and other legal services;

(h) Provide assistance on project identification, formulation, and development that would uplift the socio-economic status of the beneficiaries including projects that would channel landlord capital to industrial development;

(i) Coordinate with other government and private agencies and farmer and farm worker organizations within the area of coverage for effective program/project implementation;

(j) Submit periodic reports on program/project accomplishments including identified problems and recommended solutions thereto;

(k) Implement projects supportive of national priority programs which the Ministry is committed to assist;

(l) Perform such other functions as may be assigned from time to time, to promote efficiency and effectiveness in the delivery of public services.

The Action Groups shall include four (4) personnel of the Ministry, two (2) representatives of farmer/farm worker organizations, and one (1) representative of the municipal mayor.

SEC. 16. Foundation. The Foundation for the Agrarian Reform Movement of the Philippines (FARM-Philippines) is hereby created. It shall administer, operate, and manage programs and projects developed by the Bureau of Agrarian Reform Beneficiaries Development within agrarian reform areas and initiate alternative livelihood projects for displaced small landowners. The Foundation will be authorized to raise funds and to contract foreign and domestic loans for its projects. The legal instruments essential in accomplishing the purposes of this Section shall be submitted to the President and other authorities, as may be proper, within one hundred twenty (120) days from the approval of this Executive Order.

SEC. 17. New Structure and Pattern. Upon the approval of this Executive Order, the officers (the term "officer" as used in this Executive Order is intended to be within the meaning of the term "official," as is used in the Freedom Constitution and the succeeding Constitution) and employees of the Ministry shall, in a hold-over capacity, continue to perform their respective duties and responsibilities and receive the corresponding salaries and benefits unless in the meantime they are separated from the service pursuant to Executive Order No. 17 (1986).

The new position structure and staffing pattern of the Ministry shall be approved and prescribed by the Minister within one hundred twenty (120) days from the approval of this Executive Order and the authorized positions created thereunder shall be

filled with regular appointments by him or by the President as the case may be. Those incumbents whose positions are not included therein or who are not reappointed shall be deemed separated from the service. Those separated from the service shall receive the retirement benefits to which they may be entitled under existing laws, rules and regulations. Otherwise, they shall be paid the equivalent of one-month basic salary for every year of service, or the equivalent nearest fraction thereof favorable to them on the basis of highest salary received, but in no case shall such payment exceed the equivalent of 12 months salary.

No court or administrative body shall issue any writ or preliminary injunction or restraining order to enjoin the separation/replacement of any officer or employee effected under this Executive Order.

SEC. 18 Prohibition Against Change. No change in the reorganization herein prescribed shall be valid except upon prior approval of the President for the purpose of promoting efficiency and effectiveness in the delivery of public services.

SEC. 19. Notice or Consent Requirement. If any reorganizational change herein authorized is of such substance or materiality as to prejudice third persons with rights recognized by law or contract such that notice to or consent of creditors is required to be made or obtained pursuant to any agreement entered into with any of such creditors, such notice or consent requirement shall be complied with prior to the implementation of such reorganizational change.

SEC. 20. Change of Nomenclature. In the event of the adoption of a New Constitution which provides for a presidential form of government, the Ministry shall be called Department of Agrarian Reform and the titles of Minister, Deputy Minister and Assistant Minister shall be changed to Secretary, Deputy Secretary and Assistant Secretary, respectively.

SEC. 21. Funding. Funds needed to carry out the provisions of this Executive Order shall be taken from funds available in the Ministry.

SEC. 22. Implementing Authority of Minister. The Minister shall issue such rules, regulations and other issuances as may be necessary to ensure the effective implementation of the provision of this Executive Order.

SEC. 23. Separability. Any portion or provision of this Executive Order that may be declared unconstitutional shall not have the effect of nullifying other portions or provisions hereof, as long as such remaining portions or provisions can still subsist and be given effect in their entirety.

SEC. 24. Repealing Clause. All other laws, decrees, rules, regulations, other issuances, or parts thereof, which are inconsistent with this Executive Order, are hereby repealed or modified accordingly.

SEC. 25. Effectivity. This Executive Order shall take effect immediately upon its approval.

APPROVED in the City of Manila, Philippines, this 30th day of January in the year of Our Lord, Nineteen Hundred and Eighty-seven.

(Sgd.) CORAZON C. AQUINO
President of the Philippines

By the President:

(Sgd.) JOKER P. ARROYO
Executive Secretary

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 129, s. 1999

CREATING AN INTER-AGENCY COORDINATING COMMITTEE
TO PREPARE AND COORDINATE IMPLEMENTATION OF A
LAND ADMINISTRATION AND MANAGEMENT PROGRAM

WHEREAS, the rational administration and management of the country's land resources are vital to the optimum allocation and utilization thereof as resources of sustainable economic development;

WHEREAS, there is a recognition of the constraints that hamper the effective allocation and utilization of the country's land resources;

WHEREAS, prudent land management and administration is vital in fighting poverty, promoting economic growth and managing resources sustainability;

WHEREAS, it is necessary that the efforts of different government agencies be coordinated and consolidated in one body in order to address the problems associated with management and administration of the country's land resources;

NOW, THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. There is hereby created an inter-agency coordinating committee (IACC) to prepare and coordinate implementation of a land administration and management program (LAMP) to be composed of:

1. The Department of Environment and Natural Resources (DENR) Chairman
 - Land Management Bureau
 - Forest Management Bureau
 - Mines and GeoSciences Bureau
 - Protected Areas and Wildlife Bureau
 - Environmental Management Bureau
 - Ecosystems Research and Management Bureau
 - National Mapping and Resources Information Authority
2. The Department of Justice (DOJ) Vice-Chairman
 - Land Registration Authority
 - Commission on the Settlement of Land Problems
3. The Department of Budget and Management (DBM) Member
4. The Department of Finance (DOF) Member
 - Bureau of Local Government Finance
 - Bureau of Internal Revenue
5. The Department of Agrarian Reform (DAR) Member
6. The Department of Agriculture (DA) Member
 - Bureau of Soil and Water Management
7. The Department of the Interior and Local Government (DILG) Member
8. The National Economic and Development Authority (NEDA) Member
9. The Housing and Urban Development Coordinating Council (HUDCC) Member
 - Housing and Land Use Regulatory Board
 - National Housing Authority
10. The Public Estates Authority (PEA) Member
11. The League of Cities Member
12. The League of Provinces Member
13. The League of Municipalities Member

The afore-named members shall be represented by at least an Undersecretary with respect to the Departments and the head of agency with respect to the bureaus and agencies concerned.

SEC. 2. The IACC-LAMP shall have the following functions and duties:

1. Coordinate and monitor all government actions and responses on management and administration of land resources with respect to the preparation and implementation of a long term program of action on land management and administration;

2. Identify specific issues relating to management and administration of the said lands and formulate policies, recommendation and plans of actions to address the same;

3. Coordinate with other government agencies in providing immediate action to problems brought to their attention;

4. Report to the President the actions taken to address specific issues on the management and administration of the country's land resources;

5. Create working groups as may be deemed necessary and call on representatives from other sectors to tackle specific issues; and

6. Prepare and adopt implementing/operating guidelines as may be necessary to ensure smooth operations of the committee and implementation of this Executive Order.

7. Perform such other functions and duties as may be necessary to achieve the objective of the committee.

SEC. 3. The Committee shall be provided with an initial budget of Twenty Million Pesos (P20,000,000.00), or such amount as may be allotted and approved by the President, upon the recommendation of the Committee Chairman, subject to the usual accounting and auditing requirements. Appropriation for the succeeding years shall be incorporated in the budget proposals of the Office of the President.

SEC. 4. An IACC Secretariat, to provide administrative and technical support to the Committee, shall be created at the Land Management Bureau to be headed by its director.

SEC. 5. The Executive Order shall take effect immediately.

DONE in the City of Manila, this 24th day of JULY, in the year of Our Lord, nineteen hundred and ninety nine.

(Sgd.) JOSEPH EJERCITO ESTRADA
President of the Philippines

By the President:

(Sgd.) RONALDO B. ZAMORA
Executive Secretary

MALACAÑANG
MANILA

EXECUTIVE ORDER NO. 129-A, s. 1987

**MODIFYING EXECUTIVE ORDER NO. 129 REORGANIZING AND
STRENGTHENING THE DEPARTMENT OF AGRARIAN
REFORM AND FOR OTHER PURPOSES**

WHEREAS, Executive Order No. 129 dated January 30, 1987 was suspended;

WHEREAS, Presidential Proclamation No. 131 and Executive Order No. 229, both dated July 22, 1987 instituted a Comprehensive Agrarian Reform Program (CARP) and provided the mechanisms for its implementation;

WHEREAS, Executive Order No. 229 vests on the Department of Agrarian Reform quasi-judicial powers to determine and adjudicate agrarian reform matters;

WHEREAS, there is a need to strengthen and expand the functions of the Department of Agrarian Reform to be more effective in implementing the Comprehensive Agrarian Reform Program;

WHEREAS, under Article XVIII, Section 6, of the 1987 Constitution, the President shall continue to exercise legislative powers until the First Congress convenes;

NOW, THEREFORE, I, CORAZON C. AQUINO, President of the Philippines, by virtue of the powers vested in me by the Constitution, do hereby order:

SECTION 1. *Title.* — This Executive Order shall otherwise be known as the Reorganization Act of the Department of Agrarian Reform.

SEC. 2. *Reorganization.* — The Department of Agrarian Reform is hereby reorganized structurally and functionally, hereinafter referred to as the Department, in accordance with the provisions of this Executive Order.

SEC. 3. *Declaration of Policy.* — It is the declared policy of the State to completely abolish all remnants of feudalism and all other types of unjust tenurial arrangements, implement the comprehensive agrarian reform program, increase the productivity of the direct producers, and strengthen the agricultural base for increased industrialization.

Pursuant to this policy, the State shall:

a. Establish owner-cultivated economic, family-size farms and collectively- owned/cooperatively-cultivated farms as the foundation of Philippine agriculture;

b. Prohibit absentee land ownership;

c. Rechannel and divert landlord capital in agriculture to industrial development;

d. Assist in the preservation and conservation of prime lands for agricultural purposes;

e. Encourage the establishment and protect the autonomy and independence of institutions of farmers and farmworkers that will safeguard their interests and ensure their dignified existence, free from pernicious restraints and practices;

f. Create just and viable socio-economic structures in agriculture conducive to greater productivity and higher incomes through the cooperative system of production, processing, marketing, distribution, and credit services;

g. Accelerate the disposition of public alienable, disposable, and cultivable land to actual cultivators and other qualified

beneficiaries and develop agrarian communities for full utilization of land for human growth and development;

h. Institutionalize partnerships between government and organizations of farmers and farmworkers in agrarian reform policy formulation, program implementation, and evaluation;

i. Provide specific investment opportunities, alternative employment, and other incentives for landowners affected by agrarian reform;

j. Ensure adequate funding support for the agrarian reform program as well as timely, affordable, and appropriate financing schemes to its beneficiaries;

k. Implement an agricultural land tax scheme that will prevent land hoarding and/or speculation.

SEC. 4. *Mandate.* — The Department shall be responsible for implementing the Comprehensive Agrarian Reform Program and, for such purpose, it is authorized to:

a. Acquire, determine the value of, subdivide into family-size farms or organize into collective or cooperative farms and develop private agricultural lands for distribution to qualified tillers, actual occupants, and displaced urban poor;

b. Administer and dispose all cultivable portions of the public domain declared as alienable and disposable for agricultural purposes transferred to it by the Department of Environment and Natural Resources;

c. Acquire, by purchase or grant, real estate properties suited for agriculture that have been foreclosed by the national government;

d. Undertake land consolidation, land reclamation, land forming, and conservation in areas subject to agrarian reform;

e. Facilitate the compensation of landowners covered by agrarian reform;

f. Issue emancipation patents to farmers and farmworkers who have been given lands under the agrarian reform program as may be provided for by law;

g. Provide free legal services to agrarian reform beneficiaries and resolve agrarian conflicts and land tenure problems;

h. Develop and implement alternative land tenure systems such as cooperative farming and agro-industrial estates, among others;

i. Undertake land use management and land development studies and projects in agrarian reform areas;

k. Approve or disapprove the conversion, restructuring or readjustment of agricultural lands into non-agricultural uses;

l. Monitor and evaluate the progress of agrarian reform implementation;

m. Assist the Office of the Solicitor General in providing evidence for the reversion proceedings to be filed with respect to lands of the public domain, occupied by private individuals and their tenants or farmworkers which are subject to land reform, and real rights connected therewith which have been acquired in violation of the Constitution or the public land laws or through corrupt practices;

n. Submit progress reports to the Office of the President, to Congress, and to the people at the end of each year and at all times make available to the general public information on the current status of its programs.

SEC. 5. *Powers and Functions.*—Pursuant to the mandate the Department, and in order to ensure the successful implementation

of the Comprehensive Agrarian Reform Program, the department is hereby authorized to:

a. Advise the President and the Presidential Agrarian Reform Council on the promulgation of executive/administrative orders, other regulative issuances and legislative proposals designed to strengthen agrarian reform and protect the interests of the beneficiaries thereof;

b. Implement all agrarian laws, and for this purpose, punish for contempt and issue *subpoena*, *subpoena duces tecum*, writs of execution of its decisions, and other legal processes to ensure successful and expeditious program implementation; the decisions of the Department may in proper cases, be appealed to the Regional Trial Courts but shall be immediately executory notwithstanding such appeal;

c. Establish and promulgate operational policies, rules and regulations and priorities for agrarian reform implementation;

d. Coordinate program implementation with the Land Bank of the Philippines and other relevant civilian and military government agencies mandated to support the agrarian reform program;

e. Acquire, administer, distribute, and develop agricultural lands for agrarian reform purposes;

f. Undertake surveys of lands covered by agrarian reform;

g. Issue emancipation patents to farmers and farmworkers covered by agrarian reform for both private and public lands and when necessary make administrative corrections of the same;

h. Provide free legal services to agrarian reform beneficiaries and resolve agrarian conflicts and land-tenure related problems as may be provided for by law;

i. Promote the organization and development of cooperatives and other associations of agrarian reform beneficiaries;

j. Conduct continuing education and promotion programs on agrarian reform for beneficiaries, land-owners, government personnel, and the general public;

k. Institutionalize the participation of farmers, farmworkers, other beneficiaries, and agrarian reform advocates in agrarian reform policy formulation, program implementation, and evaluation;

l. Have exclusive authority to approve or disapprove conversion of agricultural lands for residential, commercial, industrial, and other land uses as may be provided for by law;

m. Call upon any government agency, including the Armed Forces of the Philippines, and non-governmental organizations (NGOs) to extend full support and cooperation to program implementation;

n. Exercise such other powers and functions as may be provided for by law or directed by the President, to promote efficiency and effectiveness in the delivery of public services.

SEC. 6. *Structural Organization.* — The Department shall consist of the Department Proper, the staff offices, the staff bureaus and the regional/provincial/municipal agrarian reform offices.

The Department Proper shall consist of the following:

- a.* Office of the Secretary;
- b.* Offices of the Undersecretaries;
- c.* Offices of the Assistant Secretaries;
- d.* Public Affairs Staff;
- e.* Special Concerns Staff;
- f.* Agrarian Reform Adjudication Board.

The staff sectoral bureaus, on the other hand, shall be composed of:

- a. Bureau of Land Acquisition and Distribution;
- b. Bureau of Land Development;
- c. Bureau of Agrarian Legal Assistance;
- d. Bureau of Agrarian Reform Information and Education;
- e. Bureau of Agrarian Reform Beneficiaries Development.

The field offices shall consist of the Department regional offices, the provincial offices and the municipal agrarian reform office.

SEC. 7. *Secretary of Agrarian Reform.* — The authority and responsibility for the exercise of the mandate of the Department and the discharge of its powers and functions shall be vested in the Secretary of Agrarian Reform, hereinafter referred to as Secretary, who shall have supervision and control over the Department and shall be appointed by the President.

SEC. 8. *Office of the Secretary.* — The Office of the Secretary shall consist of the Secretary, his immediate staff, the Public Affairs Staff and the Special Concerns Staff.

SEC. 9. *Undersecretary.* — The Secretary shall be assisted by four (4) Undersecretaries who shall be appointed by the President upon the recommendation of the Secretary. The Secretary is hereby authorized to delineate, assign and/or reassign the respective functional areas of responsibility of the Undersecretaries, *provided*, That such responsibility shall be with respect to the mandate and objectives of the Department; and *provided, Further*, that no Undersecretary shall be assigned primarily administrative responsibilities.

SEC. 10. *Assistant Secretary.* — The Secretary and the Undersecretaries shall also be assisted by seven (7) Assistant Secretaries, who shall be appointed by the President upon the recommendation of the Secretary. The Secretary is hereby authorized

to delineate, assign and/or reassign the respective functional areas of responsibility of the Assistant Secretaries, *provided*, That such responsibility shall be with respect to the mandate and objectives of the Department.

SEC. 11. *Public Affairs Staff*. — There is hereby created a Public Affairs Staff, under the office of the Secretary, to be headed by a Director and assisted by an Assistant Director, which shall serve as the public information arm of the Department. It shall be responsible for disseminating information and agrarian reform policies, plans, programs and projects; and respond to public queries related to the implementation of the agrarian reform program.

SEC. 12. *Special Concerns Staff*. — There is hereby created a Special Concerns Staff under the Office of the Secretary, to be headed by a Director and assisted by an Assistant Director, which shall be responsible for handling priority areas/subjects identified by the Secretary that necessitate special and immediate attention.

SEC. 13. *Agrarian Reform Adjudication Board*. — There is hereby created an Agrarian Reform Adjudication Board under the Office of the Secretary. The Board shall be composed of the Secretary as Chairman, two (2) Undersecretaries as may be designated by the Secretary, the Assistant Secretary for Legal Affairs, and three (3) others to be appointed by the President upon the recommendation of the Secretary as members. A Secretariat shall be constituted to support the Board. The Board shall assume the powers and functions with respect to the adjudication of agrarian reform cases under Executive Order No. 229 and this Executive Order. These powers and functions may be delegated to the regional offices of the Department in accordance with rules and regulations to be promulgated by the Board.

SEC. 14. *Planning and Project Management Office*. — There is hereby created a Planning and Project Management Office within the Department Proper which shall be responsible for coordinating and initiating the development, integration and prioritization of plans, programs and projects of the Department; monitoring and

evaluating agrarian reform program implementation; establishing linkages with foreign funding institutions; and coordinating the activities of the different Offices, Bureaus and Attached Agencies of the Department.

SEC. 15. *Policy and Strategic Research Office.* — There is hereby created a Policy and Strategic Research Office within the Department Proper which shall be responsible for establishing and implementing a computerized management information system as well as for coordinating and/or initiating research and studies for planning and policy formulation purposes.

SEC. 16. *Finance, Management and Administrative Office.* — There is hereby created a Finance, Management and Administrative Office within the Department Proper which shall be responsible for the proper and timely allocation of funds to support approved programs, projects and activities; the appropriate management control and accounting of funds; the management of the Department's physical assets; and the provision of services to ensure effective and efficient personnel management and manpower career development, and for the establishment of management systems and procedures.

SEC. 17. *Field Operations Office.* — There are hereby created Field Operations Offices for Luzon, Visayas and Mindanao within the Department Proper which shall monitor and assess the implementation of the Department's policies, plans and programs at the regional, provincial and municipal levels.

SEC. 18. *Legal Affairs Office.* — There is hereby created a Legal Affairs Office within the Department Proper which shall be responsible for the review of contracts and other legal matters, the rendition of legal assistance to Department personnel and those who will be affected by the agrarian reform program.

SEC. 19. *Bureau of Land Acquisition and Distribution.* — There is hereby created the Bureau of Land Acquisition and Distribution which shall absorb the relevant functions of the Bureaus of Land Acquisition, Distribution and Development, and

of Land Tenure Improvement. The Bureau of Land Acquisition and Distribution, to be headed by a Director and assisted by an Assistant Director, shall be responsible for the development of policies, plans, programs, standard operating procedures, and for providing technical assistance, relative to the acquisition and distribution of private agricultural lands covered by the agrarian reform program, including land tiller-landowner identification, land valuation, and landowners' compensation, transfer of ownership to actual tillers, leasehold arrangements, stewardship, and land transfer actions.

SEC. 20. *Bureau of Land Development.* — There is hereby created the Bureau of Land Development which shall absorb the relevant functions of the Bureau of Land Acquisition, Distribution and Development. The Bureau of Land Development, to be headed by a Director and assisted by an Assistant Director, shall be responsible for the development of policies, plans and programs, and for providing technical assistance, relative to land surveys, land use, capability and classification, engineering services, and land consolidation.

SEC. 21. *Bureau of Agrarian Legal Assistance.* — The Bureau of Agrarian Legal Assistance shall be strengthened and shall be responsible for developing guidelines, plans and programs for legal assistance including developing, maintaining and coordinating para-legal services for those who will be affected by the Comprehensive Agrarian Reform Program. It shall be headed by a Director and assisted by an Assistant Director.

SEC. 22. *Bureau of Agrarian Reform Information and Education.* — There is hereby created the Bureau of Agrarian Reform Information and Education which shall absorb the functions of the Agrarian Reform Education Service which is abolished by this Executive Order. The Bureau of Agrarian Reform Information and Education, to be headed by a Director and assisted by an Assistant Director, shall be responsible for developing and conducting continuing training and education programs for the acquisition of knowledge, value formation, and development of skills and favorable attitudes among beneficiaries and personnel of the Department

and other agencies, and the increase of awareness, participation and acceptance of agrarian reform by the public through the dissemination of information and communication materials.

SEC. 23. *Bureau of Agrarian Reform Beneficiaries Development.* — There is hereby created the Bureau of Agrarian Reform Beneficiaries Development which shall absorb the relevant functions of the Bureau of Resettlement. The Bureau of Agrarian Reform Beneficiaries Development, to be headed by a Director and assisted by an Assistant Director, shall be responsible for the development of policies, plans and programs, and for providing technical assistance, relative to the development of settlement areas into viable agrarian communities. It shall also be responsible for promoting the organization of agrarian reform beneficiaries, liaison with farmer and farm workers organizations to ensure the raising of farm incomes, the promotion of all forms of farm cooperation, the achievement of a dignified existence and the creation of a viable economic structure conducive to greater productivity and higher farm income.

SEC. 24. *Regional Offices.* — The Department shall have twelve (12) Regional Offices. Each Regional Office shall be headed by a Regional Director who shall be assisted by an Assistant Regional Director for Operations and an Assistant Regional Director for Administration.

The Regional Offices shall be responsible for the implementation of laws, policies, plans, programs, projects, rules and regulations of the Department in its administrative region. For such purpose, it shall have the following functions:

- a. Prepare and submit plans and programs for the region on:
 - 1) Land Acquisition and distribution;
 - 2) Information and education;
 - 3) Land use management and land development;
 - 4) Agrarian reform beneficiaries development;

b. Provide technical assistance to Provincial Offices and Municipal Agrarian Reform Offices in the implementation of approved plans and programs;

c. Conduct operations research and evaluation of agrarian reform implementation within the region;

d. Coordinate with other government and private agencies and farmer and farm workers organizations at the regional level, to carry out the programs/projects for the general welfare of agrarian reform beneficiaries;

e. Maintain an information system in coordination with the established monitoring systems;

f. Review and evaluate reports and other documents submitted by the Provincial Offices and Municipal Agrarian Reform Offices and agrarian reform clientele;

g. Submit periodic feedback as may be necessary in the service of the Department's clientele.

SEC. 25. *Provincial Offices.* — The Agrarian Reform District Offices are hereby abolished and in their stead the Department shall create Provincial Agrarian Reform Offices as may be necessary in promoting efficiency and effectiveness in the delivery of its services. Each Provincial Agrarian Reform Office shall be headed by a Provincial Agrarian Reform Officer.

The Provincial Agrarian Reform Offices shall be responsible for directing and coordinating the operations and activities of the Municipal Agrarian Reform Offices operating within the province and has the following functions:

a. Set priorities, specific targets, schedules, and deadlines for the execution of approved plans, programs, and projects on:

1) Land acquisition, distribution, transfer of land ownership to actual tillers, including land-tiller-landowner identification, tenurial security, leasehold arrangements, land surveys, land valuation and landowner's compensation as may be provided for by law;

2) Continuing information and education programs on agrarian reform;

3) Encouraging the organizational development of agrarian reform beneficiaries cooperatives and other associations and institutionalizing farmer-government partnership in agrarian reform policy formulation, program implementation, and evaluation;

4) Landowners' compensation and rechanneling landowner capital to industrial development;

5) Development and implementation of alternative land tenure systems such as cooperative farming, cooperative cultivatorship schemes, and agro- industrial estates, among others;

6) Land use management;

7) Compact farming, integrated farming system, sloping agricultural land technology, and other land conservation measures in agrarian reform areas, in coordination with farmer and farm workers organizations;

8) Provision of legal services to those affected by agrarian reform and resolution of agrarian conflicts and land tenure problems;

b. Provide administrative services to the Municipal Agrarian Reform Offices within the province;

c. Provide legal services to agrarian reform beneficiaries in cases arising from or connected with agrarian reform disputes, handling of expropriation proceedings, registering cooperatives

and reviewing and acting on all matters initially investigated and elevated by Municipal Agrarian Reform Office;

d. Provide technical assistance to Municipal Agrarian Reform Offices in the implementation of approved plans and programs;

e. Coordinate with governmental, private agencies, and farmer and farm worker organizations at the provincial level, to carry out programs;

f. Conduct periodic performance audit survey in collaboration with the regional office and monitor agrarian reform program accomplishments, including operational problems and constraints, and recommend appropriate remedial measures for effective program implementation;

g. Perform such other functions as may be necessary in the service of the Department's clientele;

SEC. 26. *Municipal Agrarian Reform Offices.* — The Department shall have as many Municipal Agrarian Reform Offices as may be necessary in promoting efficiency and effectiveness in the delivery of its services, which shall be headed by a Municipal Agrarian Reform Officer.

The Municipal Agrarian Reform Office shall be responsible for directly implementing agrarian reform programs and delivering expected results at the municipal level. For such purpose, it shall have the following functions:

a. Implement policies and programs on land acquisition and distribution and transfer of landowners to actual tillers, including identification of farms, landowners, and beneficiaries, leasehold arrangements, land valuation, landowner's compensation and transfer actions as determined in accordance with law;

b. Undertake continuing information and education programs on agrarian reform among the beneficiaries thereof;

c. Encourage and promote the organization and development of agrarian reform beneficiaries and assist in the registration of organized cooperatives;

d. Institutionalize beneficiaries' participation in agrarian reform policy formulation and program implementation;

e. Organize/establish compact farms, land consolidation, integrated farm system, sloping agricultural land technology and other cooperative-cultivatorship schemes;

f. Provide assistance in agrarian reform research;

g. Provide assistance to various legal services, including legal information and legal counselling, documentation and preliminary processing of applications for patents and applications to purchase lots, preliminary investigation of conflicting claims of lot boundaries and appraisal of properties, and mediation of different problems arising from implementation of the agrarian reform program; execution and registration of lease contracts, initial investigation of administrative cases, and other legal services;

h. Provide assistance on project identification, formulation, and development that would uplift the socio-economic status of the beneficiaries including projects that would channel landlord capital to industrial development;

i. Cooperative with other government and private agencies and farmer and farm worker organizations within the area of coverage for effective program/project implementation;

j. Submit periodic reports on program/projects accomplishments including identified problems and recommended solutions thereto;

k. Implement projects supportive of national priority programs which the Department is committed to assist;

l. Perform such other functions as may be assigned from time to time, to promote efficiency and effectiveness in the delivery of public services.

SEC. 27. *Attached Agency.* —

a. The Department shall, subject to the approval of the Presidential Agrarian Reform Council, create the Foundation for the Agrarian Reform Movement of the Philippines (FARM-Philippines) to administer, operate, and manage programs and projects developed by the Department and initiate alternative livelihood projects for displaced small landowners. It shall be attached to the office of the Secretary and shall be governed by a Board of Trustees. The Foundation will be authorized to raise funds and to contract foreign and domestic loans for its projects.

SEC. 28. *Transitory Provisions.* — In accomplishing the acts of reorganization herein prescribed, the following transitory provisions shall be complied with, unless otherwise provided elsewhere in this Executive Order:

a. The transfer of a government unit shall include the functions, appropriations, funds, records, equipment, facilities, chosen in action, rights, other assets, and liabilities, if any, of the transferred unit as well as the personnel thereof, as may be necessary, who shall, in a hold-over capacity, continue to perform their respective duties and responsibilities and receive the corresponding salaries and benefits. Those personnel from the transferred unit whose positions are not included in the Department's new position structure and staffing pattern approved and prescribed by the Secretary or who are not reappointed shall be deemed separated from the service and shall be entitled to the benefits provided in the second paragraph of Section 29 hereof.

b. The transfer of functions which results in the abolition of the government unit that exercised them shall include the appropriations, funds, records, equipment, facilities, chosen in action, rights, other assets and personnel as may be necessary to

the proper discharge of the transferred functions. The abolished unit's remaining appropriations and funds, if any, shall revert to the General Fund and its remaining assets, if any, shall be allocated to such appropriate units as the Secretary shall determine or shall otherwise be disposed in accordance with the Government Auditing Code and other pertinent laws, rules and regulations. Its liabilities, if any, shall likewise be treated in accordance with the Government Auditing Code and other pertinent laws, rules and regulations. Its personnel shall, in a hold-over capacity, continue to perform their duties and responsibilities and receive their corresponding salaries and benefits. Its personnel whose positions are not included in the Department's structure and staffing pattern approved and prescribed by the Secretary under Section 29 hereof or who are not reappointed, shall be deemed separated from the service and shall be entitled to the benefits provided in the second paragraph of the same Section 29.

c. Any transfer of functions which does not result in the abolition of the government unit that has exercised them shall include the appropriations, funds, records, equipment, facilities, chosen in action, rights, and assets and personnel as may be necessary to the proper discharge of the transferred functions. The liabilities, if any, that may have been incurred in connection with the discharge of the transferred functions, shall be treated in accordance with the Government Auditing Code and other pertinent laws, rules and regulations. Such personnel shall, in a hold-over capacity, continue to perform their duties and responsibilities and receive their corresponding salaries and benefits unless in the meantime they are separated from the service. Any personnel, whose positions are not included in the Department's new position structure and staffing pattern approved and prescribed by the Secretary under Section 29 hereof or who are not reappointed, shall be deemed separated from the service and shall be entitled to the benefits provided in the second paragraph of the same Section 29.

d. In case of the abolition of a government unit which does not result in the transfer of its functions to another unit, the appropriations and funds of the abolished entity shall revert to

the General Fund, while the records, equipment, facilities, chosen in action, rights, and other assets thereof shall be allocated to such appropriate entities as the Secretary shall determine or shall otherwise be disposed in accordance with the Government Auditing Code and other pertinent laws, rules and regulations. The liabilities of the abolished units shall be treated in accordance with the Government Auditing Code and other pertinent laws, rules and regulations, while the personnel thereof, whose position, is not included in the Department's new position structure and staffing pattern approved and prescribed by the Secretary under Section 29 hereof or who has not reappointed, shall be deemed separated from the service and shall be entitled to the benefits provided in the second paragraph of the same Section 29.

e. In case of merger or consolidation of government units, the new or surviving unit shall exercise the functions (subject to the reorganization herein prescribed and the laws, rules and regulations pertinent to the exercise of such functions) and shall acquire the appropriations, funds, records, equipment, facilities, chosen in action, rights, other assets, liabilities, if any, and personnel, as may be necessary, of the units that compose the merged unit shall in a hold-over capacity, continue to perform their respective duties and responsibilities and receive their corresponding salaries and benefits unless in the meantime they are separated from the service. Any such personnel, whose positions are not included in the Department's new position structure and staffing pattern approved and prescribed by the Secretary under Section 29 hereof or who are not reappointed, shall be deemed separated from the service and shall be entitled to the benefits provided in the second paragraph of the same Section 29.

f. In case of termination of a function which does not result in the abolition of the government unit which performed such function, the appropriations and funds intended to finance the discharge of such function shall revert to the General Fund while the records, equipment, facilities, chosen in action, rights and other assets used in connection with the discharge of such function shall be allocated to the appropriate units as the Department shall determine or

shall otherwise be disposed in accordance with the Government Auditing Code and other pertinent laws, rules and regulations. The liabilities, if any, that may have been incurred in connection with the discharge of such function shall likewise be treated in accordance with the Government Auditing Code and other pertinent laws, rules and regulations. The personnel who have performed such function, whose positions are not included in the Department's new position structure and staffing pattern approved and prescribed by the Secretary under Section 29 hereof or who have not been reappointed, shall be deemed separated from the service and shall be entitled to the benefits provided in the second paragraph of the same Section 29 hereof.

SEC. 29. *New Structure and Pattern.* — Upon approval of this Executive Order, the officers and employees of the Department shall, in a hold-over capacity, continue to perform their respective duties and responsibilities and receive the corresponding salaries and benefits unless in the meantime they are separated from government service.

The new position structure and staffing pattern of the Department shall be approved and prescribed by the Secretary within sixty (60) days from the effectivity of this Executive Order and the authorized positions created thereunder shall be filled with regular appointments by him or by the President as the case may be. Those incumbents whose positions are not included therein or who are not reappointed shall be deemed separated from the service. Those separated from the service shall receive the retirement benefits to which they be entitled under existing laws, rules and regulations. Otherwise, they shall be paid the equivalent of one (1) month basic salary for every year of service in the government or a fraction thereof, computed on the basis of the highest salary received, but in no case shall such payment exceed the equivalent of twelve (12) months salary.

SEC. 30. *Periodic Performance Evaluation.* — The Department of Agrarian Reform is hereby required to formulate and enforce a system of measuring and evaluating periodically and objectively the

performance of the Department and submit the same annually to the President.

SEC. 31. *Notice or Consent Requirement.* — If any reorganizational change herein authorized is of such substance or materiality as to prejudice third persons with rights recognized by law or contract such that notice to or consent of creditors is required to be made or obtained pursuant to any agreement entered into with any of such creditors, such notice or consent requirement shall be complied with prior to the implementation of such reorganizational change.

SEC. 32. *Prohibition Against Structural Changes.* — No change in the reorganization herein prescribed shall be valid except upon prior approval of the President for the purpose of promoting efficiency and effectiveness in the delivery of public services.

SEC. 33. *Funding.* — Funds needed to carry out the provisions of this Executive Order shall be taken from funds available in the Department.

SEC. 34. *Implementing Authority of the Secretary.* — The Secretary shall issue orders, rules and regulations and other issuances as may be necessary to ensure the effective implementation of the provisions of this Executive Order.

SEC. 35. *Separability.* — Any portion or provision of this Executive Order that may be declared unconstitutional shall not have the effect of nullifying other portions or provisions hereof as long as such remaining portions or provisions can still subsist and be given effect in their entirety.

SEC. 36. *Repealing Clause.* — All laws, ordinances, rules and regulations and other issuances or parts thereof, which are inconsistent with this Executive Order, are hereby repealed or modified accordingly.

SEC. 37. *Effectivity.* — This Executive Order shall take effect immediately.

APPROVED in the City of Manila, Philippines, this 26th day of July, in the year of Our Lord, nineteen hundred and eighty-seven.

(Sgd.) CORAZON C. AQUINO
President of the Philippines

By the President:

(Sgd.) JOKER P. ARROYO
Executive Secretary

MALACANAN PALACE
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 148, s. 2021

TRANSFERRING THE PHILIPPINE CROP INSURANCE CORPORATION (PCIC) FROM THE DEPARTMENT OF AGRICULTURE TO THE DEPARTMENT OF FINANCE, AND REORGANIZING THE PCIC BOARD OF DIRECTORS

WHEREAS, Presidential Decree No. 1467 (s. 1978), as amended by Republic Act (RA) No. 8175 or the “Revised Charter of the Philippine Crop Insurance Corporation Act of 1995,” created the PCIC to provide insurance protection to farmers against losses arising from natural disasters, plant diseases and pest infestation;

WHEREAS, pursuant to Executive Order (EO) No. 74 (s. 2002), the PCIC is currently attached to the Department of Agriculture (DA) for policy and program coordination, and general supervision;

WHEREAS, the Department of Finance (DOF) is the agency primarily responsible in ensuring the sound and efficient management of the financial resources of the government, its subdivisions, agencies and instrumentalities, and is mandated to formulate, institutionalize and administer fiscal policies in coordination with other concerned subdivisions, agencies and instrumentalities of government;

WHEREAS, in order for the PCIC to effectively perform its mandate of providing insurance protection to farmers in the most cost-efficient manner, there is a need to align its plans and programs with national development policies and the government’s overall fiscal plan;

WHEREAS, Section 5 of RA No. 10149 or the “GOCC Governance Act of 2011,” provides that the Governance Commission

for GOCCs (GCG) shall evaluate and ascertain whether a GOCC should be reorganized, merged, streamlined, abolished or privatized, and if upon its determination that it is to the best interest of the State that a GOCC should be reorganized, merged, streamlined, abolished or privatized, it shall make the appropriate recommendation to the President;

WHEREAS, the DOF, DA and the GCG recommended the transfer of the PCIC from the DA to the DOF, and the reorganization of the PCIC Board of Directors to ensure that the operations of the PCIC are rationalized and monitored centrally in order that government assets and resources are used effectively, and the government's exposure to all forms of liabilities including subsidies is warranted and incurred through prudent measures;

WHEREAS, a modernized agriculture founded on social equity is one of the key components of the government's national agenda for poverty alleviation and national development; and

WHEREAS, pursuant to Section 17, Article VII of the Constitution, the President shall have control over Executive departments, bureaus and offices;

NOW, THEREFORE, I, RODRIGO ROA DUTERTE, President of the Republic of the Philippines, by virtue of the powers vested in me by the Constitution and existing laws, do hereby order:

SECTION 1. Attachment of the PCIC to the DOF. The PCIC is hereby transferred from the Department of Agriculture and attached to the Department of Finance for policy and program coordination, and general supervision.

SEC. 2. Reorganization of the PCIC Board. The PCIC Board of Directors is hereby reorganized as follows:

Chairperson : Secretary, Department of Finance
Vice-Chairperson : Secretary, Department of Agriculture
Members : President, Philippine Crop Insurance Corporation
President, Land Bank of the Philippines
President and General Manager, Government Service Insurance System
Representative from the private insurance industry, to be nominated by the Secretary of Finance
Representative from the subsistence farmer's sector, preferably representing agrarian reform beneficiaries/cooperatives/associations, who shall be selected and nominated by the different farmers' organizations and/or cooperatives

SEC. 3. Separability. If any provision of this Order is declared invalid or unconstitutional, the other provisions not affected thereby shall remain valid and subsisting.

SEC. 4. Repeal. All orders, rules and regulations, and other issuances inconsistent with the provisions of this Order are hereby revoked or modified accordingly.

SEC. 5. Effectivity. This Order shall take effect immediately.

DONE, in the City of Manila, this 14th day of September, in the year of our Lord, Two Thousand and Twenty-One.

By the President:

(Sgd.) SALVADOR C. MEDIALDEA
Executive Secretary

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 150, s. 1968

INSTITUTING THE PRESIDENTIAL GOLDEN PLOW AWARD IN
RECOGNITION OF EXTRAORDINARY AND OUTSTANDING
SERVICE OR CONTRIBUTION BY INDIVIDUALS, GROUPS
OF INDIVIDUALS AND INSTITUTIONS TO THE CAUSE
OF LAND REFORM

WHEREAS, in the pursuit of the objectives of the Land Reform Program in the Philippines men with vision, reason, and courage in personal commitment, are bringing about a society of independent, self-reliant and responsible citizens; and

WHEREAS, it is fitting to recognize these individuals, groups of individuals and institutions who have rendered selfless service or contribution to the cause of land reform;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby create a Presidential Award to be known as “THE PRESIDENTIAL GOLDEN PLOW AWARD,” described and awarded as follows:

SECTION 1. The award shall recognize the vision, reason and courage of those who selflessly render extraordinary and outstanding service or contribution to humanity in the implementation of the land reform program.

SEC. 2. The service or contribution groups of individuals or institutions with far-reaching consequences and emulative effect to Man and Society, shall be recognized and awarded.

SEC. 3. This system of award seeks to encourage others to emulate those who rendered extraordinary and outstanding service or contribution for the public good and interest; and those who promoted and advanced international amity through mutual help and assistance, brought about by an awareness and recognition of interdependence among peoples and individuals and the changing concept of private property in a christian society.

SEC. 4. The design of the decoration shall be heraldically described as follows:

A symbolic sheaf of golden harvest with a plow superimposed;

Above, a crest of sampaguita garland, and below, a scroll with the inscription, "SAGISAG NG PAGLILINGKOD."

"THE PRESIDENTIAL GOLDEN PLOW AWARD FOR LAND REFORM" shall be inscribed at the back of the medallion itself.

SEC. 5. The symbolism and significance of the decoration are as follows:

a. The green and gold ribbon from which the medallion hangs represents the colors of Land Reform in the Philippines.

b. The sampaguita garland above the sheaf symbolizes the Philippine National Flower. It stands for purity and oneness of purpose, the flower of one's oblation to humanity.

c. The sheaf of golden harvest symbolizes the totality of individuals, farmers, landowners, government personnel, and the communities as a whole bound together by mutual understanding and cooperation among themselves for the common weal.

d. The plow symbolizes the basic tool of agriculture; and the values of Filipino tradition, strength of character, unity of purpose,

untiring dedication and steadfast devotion to the cause of Man, and effervescent determination to serve Society.

e. The color of gold symbolizes fulfillment.

f. The inscription, “SAGISAG NG PAGLILINGKOD” means that the recipient has rendered extraordinary and outstanding service or contribution beyond the call of duty to humanity; that his sacrifices promoted the aspirations and objectives of land reform; and that the fruits of his toils or significant contributions have brought about the social and economic uplift of the people and the nation, as well as the realization of social justice and understanding among peoples.

g. The term “Land Reform” inscribed on the other side of the medallion represents the revolutionary program of government that effects agrarian tenurial improvement for national progress.

SEC. 6. Scope of the Award. The scope of the award shall include persons in the following fields of endeavor:

a. PUBLIC SERVICE – Extraordinary and outstanding service or contribution for the public good and interest by a private citizen or individual, group of private citizens or individuals or private institutions.

b. INTERNATIONAL UNDERSTANDING – Extraordinary and outstanding service or contribution in the promotion and advancement of international amity through mutual help and assistance by individuals, groups of individuals or institutions, whether private or governmental, domestic or foreign.

c. GOVERNMENT SERVICE – Extraordinary and outstanding service or contribution for the public good and interest in any field of land reform by any officer or employee of the Government of the Republic of the Philippines.

SEC. 7. There shall be three categories of awards for every field of endeavor, namely: (1) individual, (2) group of individuals , and (3) institutional.

SEC. 8. There shall be one award for each of the three fields of endeavor. These are: (a) one award for Public Service, (b) one award for International Understanding, and (c) one award for Government Service.

SEC. 9. An award may be joint between individuals, groups of individuals, institutions, or between any two of the three categories or among the three categories which / who are considered by the National Land Reform Council, upon recommendation of the Committee on Awards, to be equally deserving of recognition in a given year.

SEC. 10. Any extraordinary and outstanding work performance, accomplishment or achievement and/or contribution by a deceased person or by a group of persons some of whom are deceased may be the subject of an award.

SEC. 11. Screening and Selection. – There is created a Committee on Awards composed of a chairman end four members to be named annually during the month of September by the Chairman of the National Land Reform Council from among prestigious government personnel and/or among prominent private citizens or individuals, Filipinos or foreigners.

The Committee shall screen the nominees for award and shall submit its recommendation to the National Land Reform Council for final selection.

SEC. 12. Standards or criteria for Selection. – No work performance, accomplishment or achievement and/or contribution shall merit an award unless it has been found by experience or expert scrutiny to be extraordinary and outstanding within the scope of the award and is manifestly of the nature that exemplifies the lofty ideals of land reform.

In evaluating candidates for the awards, the Committee on Awards, shall consider the following criteria:

a. Performance of an extraordinary and outstanding service or contribution for the public good and interest, specifically in the furtherance of the objectives of land reform.

b. Evidences of sustained effect of contribution or work performance over and above the normal duty requirements of a given individual, group of individuals, or institutions.

c. Contribution to the cause of land reform or performance of extraordinary and outstanding service is of such far-reaching consequence and emulative effect on Man and his Society.

SEC. 13. Procedure. – The award shall be open to any person, group of persons, regardless of race, creed, sex, or nationality; or institutions, whether private or governmental, domestic or fore

The following procedural guidelines shall be observed:

a. To come under consideration for an award, a person, group of persons or an institution shall be recommended in writing by someone with the competence therefor in accordance with the pertinent provisions of this Order.

b. Competence to submit proposals shall be enjoyed by persons, both Filipinos and foreigners, within the particular field of endeavor concerned in conformity with paragraphs (c) , (i) , (j) and (k) of this Section.

c. Every year during the month of September, the Chairman of the National Land Reform Council shall send out invitations to those who are chosen by the Council from the names of competent persons recommended by the Committee on Awards in accordance with the pertinent provisions of paragraphs (i) , (j) and (k) of this Section.

d. Personal applications for an award shall not be considered.

e. The awards shall be made annually starting with the year 1968 End every year thereafter.

If, however, it is considered that none of the proposals that have come under consideration merit recognition, the National Land Reform Council may omit awards in one or more categories in any or all field of endeavor in a given year.

f. Only contribution and/or work performance or accomplishment achieved within the five years immediately preceding the granting of the award shall be considered.

The preceding paragraph notwithstanding, order work performance, accomplishment or achievement and/or contribution may be considered if their significance has not become apparent until recently.

g. Presentation of the awards shall be made in Manila, Republic of the Philippines, on the Anniversary of the signing of the Agricultural Land Reform Cede, Republic Act No. 3844, which is the eighth day of August.

In addition to the decoration, an appropriate certificate shall be presented to each awardee with a citation indicating the basis of selection of the awardee.

h. Each year the National Land Reform Council shall consider proposals submitted pursuant to paragraph (f) hereof end received in the Secretariat to the Council, Quezon City, Republic of the Philippines, during the preceding year up to and including the thirty-first dry of December.

Only proposals supported by adequate evidence and submitted by competent persons invited to nominate shall be considered.

i. Public Service Award. – Competence to submit proposals for the award on extraordinary and outstanding service or contribution by a private citizen or individuals or private institutions may be enjoyed by:

(1) Persons who have received the Presidential Golden Plow Award for Public Service;

(2) Heads of state or private educational institutions;

(3) Leaders of private institutions or organizations, national in scope, whose purposes are: to work for improving the status of farmers and farmhands or laborers, encourage cottage industries, increase and diversify agricultural production, improve rural health and education, promote cooperative movement for rural credit, improve production and marketing of farm products, promote the dissemination as well as free discussion of information and matters of public interest, stimulate and promote rural improvements and proper development of human and natural resources, train rural reconstruction personnel or cooperate with the State in carrying out programs of rural reconstruction, and all other activities related to and connected with land reform; and

(4) Other persons who, because of their work, study or background are in close touch with individuals, groups or associations identified with the purposes above indicated.

j. International Understanding Award. – Competence to submit proposals for the award on extraordinary and outstanding service or contribution in International Understanding may be enjoyed by:

(1) Persons who have received the Presidential Golden Plow Award for International Understanding;

(2) Heads of United Nations Missions and Regional Cooperation Organizations in the Philippines;

(3) Heads of diplomat Philippines;

(4) Leaders of private and governmental institutions or organizations, interna

the promotion and advancement of international amity, friendship and understanding through mutual help and assistance between and among peoples of different countries;

(5) Other persons who, because of their work, study or background, are in close touch with individuals, groups or associations identified with the purposes above stated.

k. Government Service Award – Competence to submit proposals for the award on extraordinary and outstanding service or contribution in any field of land reform may be enjoyed by:

(1) Persons who have received the Presidential Golden Plow Award for Government Services;

(2) Heads of commissions, bureaus or offices for the enhancement of the civil service system;

(3) Heads of institutes or colleges of public administration in state or private universities;

(4) Leaders or private institutions or organizations, national in scope, whose purposes are: to work for the enhancement of the government service; to encourage research and studies of government activities; and to promote employee welfare; and

(5) Other persons, who, because of their work, study or background, are in a position to follow and watch closely the careers of public servants.

SEC. 14. This order shall take effect immediately except as herein otherwise provided.

Done in the City of Manila, this 1st day of October, in the year of Our Lord, nineteen hundred and sixty-eight.

(Sgd.) FERDINAND E. MARCOS
President of the Philippines

By the President:

(Sgd.) JOSE. J. LEIDO, JR.
Acting Executive Secretary

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 151, s. 1999

**ESTABLISHING THE FARMERS TRUST DEVELOPMENT
PROGRAM AND PROVIDING INSTITUTIONAL REFORMS
AND FUND MECHANISMS FOR MOBILIZING LONG TERM
PRIVATE SECTOR CAPITAL FOR RURAL DEVELOPMENT**

WHEREAS, the government's priority goals of poverty eradication, food security, global competitiveness and empowerment of the farmer require the creation of new institutional structures and mechanisms that can expand medium and long term private sector investments in agriculture;

WHEREAS, the achievement of these goals requires the voluntary consolidation of small farm operations into medium and large scale integrated enterprises that can access long term capital for critical modernization requirements needed to attain global competitiveness;

WHEREAS, the provision of incentives requires an institutional shift from direct subsidies and inputs towards risk-aversion mechanisms such as insurance, securities and guaranty schemes that enable diversification and formation of medium and large scale integrated farm enterprises;

WHEREAS, the Department of Agrarian Reform (DAR) is tasked to directly assist farmers, who are society's most impoverished, vulnerable and economically non-competitive sector, by undertaking innovative schemes to improve farm productivity and income;

WHEREAS, to enable the formation of integrated farm enterprises, the Department of Finance (DOF) must take the lead

in catalyzing investments and developing long term capital market for agriculture through appropriate financial support, incentives and fund mechanism, including tapping of credits allocated to the agriculture and agrarian sectors under the Agri-Agra law

WHEREAS, the Quedan and Rural Credit Guarantee Corporation (Quedancor) is mandated under RA 7393 (Quedancor Charter) to provide credit, investment and guaranty mechanisms to assist small farmers, producers and fisherfolk, and is also mandated under RA 8435 (Agriculture and Fisheries Modernization Act of 1997) to consolidate and manage the guaranty funds of the government and to establish a centralized government capability for agricultural guaranty.

NOW, THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Republic of the Philippines by virtue of the authority vested in me by law, do hereby order:

SECTION 1. Establishment of the Farmers Trust Development Program. The Farmers Trust Development Program, hereinafter referred to as the Program, is hereby established. The Program shall promote, authorize and support the voluntary consolidation of small scale agricultural landholdings into medium and large scale farm enterprises through a usufruct trust arrangement with a Service Consortium, to be chosen by the participating farmers and approved by the DAR.

SEC. 2. Components. The Program shall have the following components:

a. Farmers Trust. Individual agricultural landholdings in suitable commodity belt areas, can be made available to a Farmers Trust Enterprise through the conveyance of the usufructuary rights to the Trust, by the respective owners or rights holders, who shall retain ownership and title to the properties, and share in the income of the enterprise under an equitable arrangement.

The farm owners may opt to work for the enterprise with priority to employment. For ease of organization, the farmers may be represented by a properly authorized cooperative, federation or farmer association.

b. Service Consortium. The Service Consortium shall undertake the organization and development of the Trust Enterprise and assist in securing capital resources through the system of project securitization and issuance of project participation certificates. The Consortium, which shall be chosen by the farmers or land rights holders, shall also provide a total package of production inputs and services, to include a unified management system, organizational support, supply of key technologies, equipment and other modernization requirements to put the Enterprise's productivity at par with international standards, and provide the critical arrangements for an assured market. The type of services to be provided by the Consortium shall be entirely demand-driven.

c. Trust Agreement. The farmer or land rights holder and the Service Consortium shall enter into a trust agreement defining the undertakings of both Parties. The agreement shall include the (1) conveyance of the usufructuary rights of the individual land rights holders to the Farmers Trust to be formed under a Trustee Bank to be appointed by the Parties; (2) package of critical services; (3) project inputs and resources to be provided by the Service Consortium; (4) life term of the agreement and exit options; (5) economic and equitable profit sharing arrangement; and (6) other accountabilities and duties of the Parties to the Trustee Bank as the enforcer of the agreement, the custodian of the assets, cash flows of the project, and protector of the rights of investors and creditors of the Trust.

d. Project Securitization. The Farmers Trust Enterprise shall be funded mainly through the capital formation or financing system of project securitization as validly developed and practiced under Philippine laws, which shall be structured appropriately to conform with the nature of the varying assets, cash flows and business objectives of the Enterprise as well as to provide adequate security and incentives for the investors.

e. Asset Pool Formation. The usufruct rights of the land holders and the assets and receipts of the entire project or Trust Enterprise shall constitute the Asset Pool of the enterprise. These assets shall be placed under the trusteeship service of a reputable banking institution.

f. Approval of Land Rights Conveyance. The conveyance of usufruct rights over landholdings to a Farmers Trust shall be approved by DAR or DENR depending on land jurisdiction, and shall bind the government to the terms of the conveyance for the period of the Trust arrangement.

g. Enterprise Business Plan. The project shall be governed in accordance with an approved and disclosed Enterprise Business Plan, which shall show the viability of the project and govern the implementation, receipts and disbursement of funds, recovery/payment of investments and distribution of the revenue/profits to the Parties to the Trust.

h. Project Participation Certificates. The Farmers Trust shall issue Project Participation Certificates to private investors, backed up by the Trust's asset pool.

i. Guaranty Coverage. The Project Participation Certificates issued by the Farmers Trust shall be extended appropriate guaranty coverage by the Quedancor.

j. Private Nature of the Funds. The funds of the Trust shall be private in nature and thus, shall be accounted and treated as private funds in accordance with generally accepted auditing rules and standards.

k. Insurance Coverage and Exit Option. The Farmers Trust shall provide insurance protection to participating farmers and other groups in case of force majeure or bad management by enterprise administrators by ensuring that important decisions made by the Trust are duly consulted with all participants of the

trust arrangement. The Farmers Trust shall also provide an exit option to the Parties.

SEC. 3. Program Committee. A Program Committee is hereby constituted to coordinate Program implementation and formulate guidelines and mechanisms that will, among others, provide additional protection to participating farmers and identify risk levels and sharing arrangements of Trust participants.

The Committee shall be chaired by the Secretary of Agrarian Reform with the Secretary of Agriculture, Secretary of Finance, Secretary of Environment and Natural Resources and Quedancor President as members. The Committee may call upon other departments and agencies for assistance in the implementation of the Program.

SEC. 4. Funding Support for the Program. The DOF and its attached agencies are hereby directed to extend their support to the capital formation strategies and measures that may be undertaken for the Farmers' Trust Development Fund, and to find ways and means as may be legally feasible to enlarge and strengthen the guaranty capability of Quedancor.

a. Department of Finance. Pursuant to the objectives of the DOF to pump prime or catalyze investments and economic activity in the agricultural sector, the department is hereby authorized to provide assistance in the following areas:

(1) Project Preparation and Start-up Fund

To support the interim requirements needed to firm up, document and start-up the specific projects that form the basis of the Farmers Trust Development Fund, the DOF is authorized to provide funding for these requirements.

(2) Farmers Trust Development Fund and Farmers Trust Guaranty Fund

To catalyze and support the establishment of the Farmers Trust Development Fund and the Farmers Trust Guaranty Fund, the DOF is authorized to provide funds and coordinate with other agencies, particularly the Bangko Sentral ng Pilipinas, for other incentives needed.

(3) Sovereign Guaranty

The DOF is authorized to issue the sovereign guaranty of the Republic of the Philippines in accordance with this issuance and the charter of Quedancor.

b. The Farmers Trust Development Fund. The DAR, in coordination with the DOF, shall cause the establishment of the Farmers Trust Development Fund under a Special Purpose Vehicle (SPV), created according to and based upon an acceptable and viable project as presented in an Enterprise Business Plan and audited with due diligence. The SPV shall issue Farm Development Trust Certificates, the proceeds of which shall finance designated Farmers Trust Enterprises or purchase the Project Participation Certificates thereof. The purchase of the Farm Development Trust Certificates by banking institutions shall be deemed as compliance with the Agri-Agra law under the alternative compliance mechanism of PD 717.

c. The Farmers Trust Guaranty Fund. The Quedancor is authorized to establish a Farmers Trust Guaranty Fund to support the Program and guaranty the securities issued by the Farmers Trust Development Fund in accordance with Section 23 of RA 7393 (Quedancor charter).

SEC. 5. Role of Quedan and Rural Credit Guarantee Corporation. The Quedancor shall extend utmost guaranty coverage support for Project Participation Certificates issued for DAR-sponsored Farm Development Trust Enterprises, as may be legally feasible and in consonance with the broadened mandate of Quedancor under AFMA as well as its original mandate.

SEC. 6. Agri-Agra Compliance. The purchase of Farmers Trust Certificates that may be issued for the financing of Farmers Trust Enterprises take on the nature of loans extended to the enterprise, which represent the associated interests of the members and/or the joint venture.

The Project Participation Certificates, when duly covered by the Quedancor guaranty system, merit treatment as eligible securities for Agri-Agra law compliance. The Bangko Sentral ng Pilipinas shall provide the necessary implementing rules and official issuances for guidance and compliance by banking institutions. Additional incentives in the form of additional eligibilities of the securities as bank reserves, liquidity reserves and others may be considered.

SEC. 7. Applicability of the Trust Mechanism to Other Rural Sector Activities. The Trust mechanism as described and authorized herein may be applied with appropriate modifications to fisheries, pasture lands, forest lands and other productive enterprises suited for consolidation.

Holders of agricultural lands under titled ownership or long-term lease from government under pasture, forestry or other arrangements, may join or initiate a Farmers Trust.

Such endeavors shall be subject to the approval of the DAR, DENR or DA, depending on the land jurisdiction.

SEC. 8. Repealing Clause. All issuances, executive and administrative orders, rules and regulations or parts thereof which are inconsistent herewith are hereby repealed or modified accordingly.

Section 9. Effectivity. This Executive Order shall take effect immediately.

Done in the City of Manila, this 27Th day of September, in the year of our Lord, nineteen hundred and ninety nine.

(Sgd.) JOSEPH EJERCITO ESTRADA
President of the Philippines

By the President:

(Sgd.) RONALDO B. ZAMORA
Executive Secretary

MALACANAN PALACE
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 168, s. 2022

TRANSFERRING THE NATIONAL IRRIGATION
ADMINISTRATION FROM THE OFFICE OF THE
PRESIDENT TO THE DEPARTMENT OF AGRICULTURE

WHEREAS, Section 1, Article XII of the Constitution provides that the State shall promote industrialization based on sound agricultural development and agrarian reform;

WHEREAS, Republic Act (RA) No. 3601 created the National Irrigation Administration (NIA) as a body corporate, with the purpose of expanding irrigated farmlands to support crop production, increase the productivity of our farmers, and ensure a stable supply of farm commodities;

WHEREAS, to enhance and coordinate the efforts of government agencies in the agricultural sector, Executive Order No. 165 (s. 2014) transferred the NIA, among other agencies, from the Department of Agriculture (DA) to the Office of the President (OP);

WHEREAS, due to the effects of climate change and the COVID-19 pandemic, which significantly affected the state of food security in the Philippines, there is a need to optimize the country's water resources to adapt to these challenges, and pave the way for the modernization and industrialization of the agricultural sector;

WHEREAS, there is a need to integrate relevant agencies in the agricultural sector in the fulfillment of their complementary governmental mandates;

WHEREAS, Section 17, Article VII of the Constitution states that the President shall have control of all executive departments, bureaus and offices;

WHEREAS, Section 31, Chapter 10, Title III, Book III of EO No. 292 or the “Administrative Code of 1987,” provides that the President has the continuing authority to reorganize the administrative structure of the OP, including the transfer of any agency under the OP to any other department or agency; and

WHEREAS, Section 5 of RA No. 10149 or the “GOCC Governance Act of 2011,” provides that the Governance Commission for GOCCs (GCG) shall evaluate and ascertain whether a government-owned or -controlled corporation (GOCC) should be reorganized, and if upon its determination that it is to the best interest of the State that a GOCC should be reorganized, it shall make the appropriate recommendation to the President;

NOW, THEREFORE, I, RODRIGO ROA DUTERTE, President of the Republic of the Philippines, by virtue of the powers vested in me by the Constitution and existing laws, do hereby order:

SECTION 1. Transfer of the NIA. The NIA is hereby transferred from the OP to the DA.

SEC. 2. Directive to the GCG. The GCG is hereby directed to study the reorganization of the NIA Board of Directors, and submit to the OP, through the Executive Secretary, its recommendation thereon. Pending the submission by the GCG of its recommendation, the DA Secretary is hereby designated as Acting Chairman of the NIA Board.

SEC. 3. Repeal. All orders, rules and regulations, and issuances or parts thereof inconsistent with this Order are hereby repealed, amended or modified accordingly.

SEC. 4. Separability. In the event that any provision of this Order or any part thereof is declared invalid, illegal or

unconstitutional, the provisions not affected thereby shall remain in full force and effect.

SEC. 5. Effectivity. This Order shall take effect immediately.

DONE, in the City of Manila, this 25th day of April, in the year of Our Lord, Two Thousand and Twenty-Two.

By the President:

(Sgd.) SALVADOR C. MEDIALDEA
Executive Secretary

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 174, s. 2003

CREATING THE NATIONAL COUNCIL ON FOOD SECURITY
AND JOB CREATION

WHEREAS, Article II, Section 9 of the Constitution provides that the State shall free the people from poverty through policies that provide adequate social services, promote full employment and improve the quality of life for all;

WHEREAS, Section 2 of RA 8435, otherwise known as the Agriculture and Fisheries Modernization Act of 1997, declares that the State shall enable those who belong to the agriculture and fisheries sector to participate and share in the fruits of development and growth, and that the State shall ensure the availability, adequacy, accessibility and affordability of food supplies for all times;

WHEREAS, in the pursuit of the mandate provided by the Constitution and existing laws, the national government is committed to ensure the attainment of sustainable food security at all times;

WHEREAS, Section 2, Chapter I, Title IV, Book IV of the Administrative Code of 1987 mandates the Department of Agriculture to plan, formulate, execute, regulate, and monitor programs and activities relating to agriculture, food production and supply;

WHEREAS, Section 31, Chapter 10, Title III, Book III, of the Administrative Code of 1987 vests upon the President of the Philippines the continuing authority to reorganize her office.

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Philippines, by virtue of the powers vested in me by the Constitution and existing laws, do hereby order:

SECTION 1. *Organization and Composition of the National Council on Food Security and Job Creation.* – The National Council on Food Security and Job Creation, herein referred to as the Food and Jobs Council, is hereby constituted, and shall be composed of the following:

Secretary of Agriculture (Government Sector)	Co-Chairman
Presidential Adviser on Food Security and Job Creation with Cabinet rank (representing the Private sector)	Co-Chairman
Secretary of Trade and Industry	Member
Secretary of Environment and Natural Resources	Member
Secretary of Agrarian Reform	Member
Secretary of Finance	Member
Secretary of Budget and Management	Member
Secretary of Labor and Employment	Member
Secretary of Transportation and Communication	Member

SEC 2. *Functions and Responsibilities of the Council:*

1. To design, adopt, and monitor a comprehensive National Food Security and Job Creation Plan in consonance with the Medium and Long-Term Agricultural and Fisheries Modernization Plan, as provided for in Republic Act 8435;

2. To serve as an inter-agency Council to oversee and to supervise various cross-cutting plans, programs, and policies related to food security, such as but not limited to the following:

2.1. Optimization of the agrarian reform communities for food productivity;

2.2. Efficient transportation of food within various production centers in the country;

2.3. Conservation of marine resources, soil fertility and other natural endowments necessary for food production;

2.4. Increasing the role of local government units in food production;

2.5. Defining the strategic role of our trading partners in providing food for the country, as well as markets for our agricultural products.

3. To serve as a coordinating forum for various policies, laws, rules and regulations that need to be devised, amended or proposed, in order to attain food security; and

4. To generate and mobilize resources from domestic and foreign resources, for the implementation of the National Food Security and Job Creation Plan, as well as rationalize the use and the equitable distribution of additional resources to the LGU's.

SEC 3. *Organization of the National Secretariat.* – The National Agricultural and Fisheries Council (NAFC) shall be the National Secretariat of the Council.

SEC 4. *Inter-Agency Coordination.* – All concerned departments and their attached agencies, LGUs, government-owned and controlled corporations and other instrumentalities of the government are hereby directed to cooperate and give their full support to the Council to ensure effective performance of their functions.

SEC 5. *Administrative and Implementing Guidelines.* – The Council shall adopt administrative guidelines as may be necessary to implement this Executive Order.

SEC 6. *Effectivity.* – This Order shall take effect immediately.

Done in the City of Manila, this 30th day of JANUARY, in the year of Our Lord, two thousand three.

(Sgd.) GLORIA MACAPAGAL-ARROYO
President of the Philippines

By the President:

(Sgd.) ALBERTO G. ROMULO
Executive Secretary

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 180, s. 1999

AMENDING EXECUTIVE ORDER NO. 155 ABOLISHING THE COUNCIL FOR INVESTMENTS IN TRADE, INDUSTRY, TOURISM, AGRICULTURE, NATURAL RESOURCES, TRANSPORTATION, COMMUNICATIONS AND SERVICES AND REFOCUSING AND STRENGTHENING THE INVESTMENT ONE-STOP ACTION CENTER AND CREATING THE POSITION OF INVESTMENT OMBUDSMAN

WHEREAS, a more intensive generation of investments from local and foreign investors is needed to sustain development efforts;

WHEREAS, there is a need to entrench new policies with new administrative procedures at the implementation level to provide assistance to current and potential investors and to enhance the coordination and complementation efforts of government to promote investments;

WHEREAS, Executive Order No. 136, s. 1987, created a Council for Investments in Trade, Industry, Tourism, Agriculture, Natural Resources, Transportation, Communications and Services to coordinate investment development efforts of the government and to promote the country as an attractive investment area in identified sectors;

WHEREAS, EO 136 further created an Investment One-Stop Action Center (OSAC) under the Board of Investments to provide assistance to local and foreign investors by providing information, advice, and guidance on pertinent laws and procedures relative to doing business in the Philippines and to accept and act on applications for investments;

WHEREAS, pursuant to the Cabinet agreement on 18 August 1992, investment promotion units were established in key government offices to assist OSAC in their respective areas;

WHEREAS, the President has continuing authority to reorganize the administrative structure of the Office of the President pursuant to Executive Order No. 292 (Administrative Code of 1987);

WHEREAS, under Section 77 of the General Provisions of Republic Act No. 8745 or FY 1999 General Appropriations Act, the President may direct changes in the organization and key positions in any department, bureau or agency; and

WHEREAS, there is a need to refocus and strengthen the OSAC in order to be more responsive to the needs of investors in view of the highly competitive global environment.

NOW, THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Republic of the Philippines, by virtue of the powers vested in me by law and the Constitution, do hereby order the following:

SECTION 1. ABOLISHING THE COUNCIL FOR INVESTMENTS. The Council for Investments in Trade, Industry, Tourism, Agriculture, Natural Resources, Transportation, Communications and Services, created pursuant to EO 136 s. 1987, is hereby abolished and its budget and plantilla of personnel is hereby transferred to the Board of Investments..

SEC. 2. CREATING THE OFFICE OF THE INVESTMENT OMBUDSMAN. There is hereby created an Office of the Investment Ombudsman which shall be under the direct supervision of the Chairman of the Board of Investments. It shall be headed by an Investment Ombudsman who shall be appointed by the President upon recommendation of the BOI Chairman.

The Investment Ombudsman shall be designated as a Special Deputy of the Ombudsman.

The Investment Ombudsman shall be assisted by a Director for the Complaints and Action Center for Investments and a Director for the Quick Response One-Stop Action Center for Investments, both of whom shall also be appointed by the President upon recommendation of the BOI Chairman.

The Office of the Investment Ombudsman shall have a full-time staff complement for the services directly supportive to the performance of its functions.

SEC. 3. RENAMING AND REFOCUSING THE OSAC. The Investment One-Stop Action Center of the Board of Investments, created pursuant to EO 136, s. 1987 shall be transferred from the Board of Investments and hereby re-named Quick Response One-Stop Action Center for Investments (QROSACI) and shall be under the Office of the Investment Ombudsman.

SEC. 4. FUNCTIONS OF THE QROSACI. The QROSACI shall serve as clearing house for potential investors and undertake due diligence on the capabilities of potential investors. In this regard, the QROSACI shall undertake the following functions to assist investors with the desired credentials:

a. Provide advise, guidance and information on various laws, rules and regulations governing investments and the conduct of business in the Philippines, including incentives that can be availed of;

b. Facilitate the processing of all investment-related requirements by concerned agencies including local government units (e.g., licenses and permits, importation, taxation, etc., by ensuring that all frontline agencies perform their tasks within prescribed standards and parameters;

c. Coordinate closely with the Investment Facilitation Specialists which shall be part of a network providing current and prospective investors with answers to technical and legal inquiries

and fast action on the approval of investment-related permits and licenses.

d. Improve time and quality standards for processing of investment-related papers in government agencies; and

e. Coordinate with private sector organizations, the heads of which may be invited to constitute an Advisory Council which shall provide information, advice and feedback on the investment development efforts of the government.

f. Promulgate rules of procedure for the effective exercise of its powers, functions, and duties.

g. Perform such other functions as may be directed by the President and/or the Secretary of Trade and Industry.

SEC. 5. COORDINATING MECHANISM AND DESIGNATION OF INVESTMENT SPECIALISTS. The Investment Ombudsman shall establish a coordinating mechanism for addressing investor concerns with the following concerned government departments and agencies: Department of Trade and Industry, Department of Finance, Department of Environment and Natural Resources, Department of Agriculture and Food, Department of Agrarian Reform, Department of Tourism, Department of Interior and Local Government, Department of Justice, Bureau of Immigration, Bureau of Customs, Bureau of Internal Revenue, the Housing Land Use Regulatory Board and the Philippine National Police, to further enhance the services of the QROSACI. For this purpose, Investment Facilitation Specialists shall be designated by the aforementioned government departments and agencies, whose rank shall not be less than third in rank therein. The designation of the Investment Facilitation Specialists shall be confirmed by a memorandum of agreement (MOA) between the Investment Ombudsman and the head of the department or agency within thirty (30) days after the Office of the Investment Ombudsman becomes operational.

The Investment Facilitation Specialist should have authority to provide the QROSACI and investors with answers to technical and legal inquiries as well as take fast action on the approval of investment-related permits and licenses submitted by the QROSACI. Whenever a more detailed evaluation of documents and papers are necessary, the Investment Specialist shall be responsible for monitoring the status of such documents and papers and ensuring that they are returned to the QROSACI and the applicant in the shortest possible time or within the prescribed time period.

SEC. 6. FUNCTIONS OF THE INVESTMENT OMBUDSMAN. The Office of the Investment Ombudsman shall act as a Complaints and Action Center for Investment and, as Special Deputy of the Ombudsman, shall have the following powers and functions:

a. Conduct Inquiries: Inquire into acts or omissions of any public official or employee of the Government, or of any office, agency or instrumentality thereof concerned with the entry of local and foreign investments, including local government units and officials, which the Investment Ombudsman may consider to be:

- * contrary to law or regulation;
- * unreasonable, unfair, oppressive, irregular or inconsistent with the general course of the operations of a public officer, employee, office or agency;
- * an error in the interpretation or application of law, rules or regulations, or a gross or palpable error in the appreciation of facts;
- * based on improper motives or corrupt considerations;
- * unclear or inadequately explained when reasons should have been revealed;
- * inefficiently performed or otherwise objectionable.

b. Direct Performance: Direct, upon complaint of any investor, or at its own instance, any public official or employee or any office, agency or instrumentality, including local government units and officials, as well as any government-owned or controlled corporation with original charter, to perform and expedite any act or duty required by law to facilitate the entry of local and foreign

investment, or to stop, prevent and correct any abuse or impropriety in the performance of duties.

c. **Submission of Documents:** Direct, in any appropriate case, and subject to such limitations as may be provided by law, any public official or employee, or any office, agency, or instrumentality, including local government units and officials, as well as any government-owned or controlled corporation with original charter, to furnish copies of documents relating to contracts or transactions entered into by such office involving the entry of local or foreign investment or to examine, if necessary, pertinent records and documents.

d. **Request Assistance and Information:** Request any government agency or local government unit for assistance and information necessary in the discharge of its responsibilities.

e. **Publicity for Deterrence Purposes:** With due prudence., publicize matters covered by its inquiries or investigations when circumstances so warrant.

f. **Recommend Reforms:** Determine the causes of inefficiency; red tape, mis-management, fraud and corruption in the offices concerned with the entry of local and foreign investment and make recommendations for their elimination and the observance of high standards of ethics and efficiency.

g. **Promulgate Rules:** Promulgate its rules of procedure and exercise such other powers or perform such functions or duties as may be provided by law.

SEC. 6. FUNDING. The Secretary of Budget and Management is hereby directed to allocate funds from the Organizational Adjustment Fund or from any available fund under the annual appropriations of the government to support the Office of the Investment Ombudsman.

Funds for the operations of the Office of the Investment Ombudsman shall be released through the Secretary of Trade and Industry, subject to the submission of the Staffing Pattern and Work and Financial Plan to the Department of Budget and Management.

SEC. 7. REPORTING SYSTEM. The Investment Ombudsman, through the Secretary of Trade and Industry, shall submit quarterly reports to the Office of the President on steps taken to address investors concerns.

SEC. 8. SEPARABILITY CLAUSE. In the event that the provisions of this Executive Order are hereby declared to be separable and in the event any provision or part thereof is declared unconstitutional the other provisions or part thereof which are not affected thereby shall remain in full force and effect.

SEC. 9. REPEALING CLAUSE. All issuances, orders, rules and regulations or parts thereof which are inconsistent with the provisions of this Executive Order are hereby repealed or modified accordingly.

SEC. 9. EFFECTIVITY. This Executive Order takes effect immediately.

DONE in the City of Manila, this 23rd day of November, in the Year of Our Lord, Nineteen Hundred and Ninety-nine.

(Sgd.) JOSEPH EJERCITO ESTRADA
President of the Philippines

By the President:

(Sgd.) RONALDO B. ZAMORA
Executive Secretary

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 184, s. 1994

CREATING SOCIALIZED HOUSING ONE-STOP PROCESSING CENTERS TO FACILITATE THE PROCESSING AND ISSUANCE OF PERMITS, CLEARANCES, CERTIFICATIONS AND LICENSES APPROPRIATE AND NECESSARY FOR THE IMPLEMENTATION OF SOCIALIZED HOUSING PROJECTS, AND DIRECTING ALL GOVERNMENT AGENCIES CONCERNED TO SUPPORT THE OPERATIONS OF THE SAID CENTERS

WHEREAS, consistent with Section 9, Article III of the Constitution which mandates the provision of decent housing and basic services to the underprivileged and homeless, the present Administration through the various housing agencies of the government, has embarked on a massive socialized housing program;

WHEREAS, to attain targets set under the government's socialized housing program, maximum private sector participation is imperative;

WHEREAS, in undertaking socialized housing projects contemplated under Republic Act No. 7279 otherwise known as the Urban Development and Housing Act of 1992, the developer/proponent must secure the appropriate and necessary permits, clearances, certifications and licenses from various government agencies which include the Department of Agrarian Reform (DAR), the Department of Environment and Natural Resources (DENR), the Department of Agriculture (DA), the Housing and Land Use Regulatory Board (HLURB), and the local government units (LGUs) concerned;

WHEREAS, despite various tax and other incentives offered by government to developers/proponents of socialized housing projects, maximum private sector participation is not realized in view of existing processes in the issuance of permits, clearances, certifications and licenses which are found to be cumbersome and time-consuming, thereby causing considerable delays in project implementation and resulting in added costs that further impair the affordability of socialized housing units;

WHEREAS, Section 20 of Republic Act No. 7279 mandates the creation of one-stop offices in the different regions of the country to handle the processing, approval and issuance of permits, clearances, certifications and licenses and that the same be issued within ninety (90) days from submission of all requirements by the developer/proponent; and

WHEREAS, there is a need to implement the above-mentioned statutory mandate to further strengthen the on-going efforts to streamline bureaucratic procedures and hasten government processing and issuance of permits, clearances, certifications and licenses.

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by the law, do hereby order:

SECTION 1. *Creation of Socialized Housing One-Stop Processing Centers* – The creation of Socialized Housing One-Stop Processing Centers (SHOPCs) is hereby directed in all the administrative regions of the country to be manned by representatives from the following agencies:

- a. The Housing and Urban Development Coordinating Council (HUDCC);
- b. The Housing and Land Use Regulatory Board (HLURB);
- c. The Department of Agrarian Reform (DAR);

d. The Department of Environment and Natural Resources-Land Management Bureau (DENR-LMB);

e. The Department of Agriculture (DA); and

f. The Department of the Interior and Local Government (DILG);

The above-named agencies are hereby directed to designate an organic official/employee to man their respective Desks in all SHOPCs. In this connection, the Heads of said agencies shall, subject to existing laws and as far as practicable, delegate sufficient authority to their respective Desks to evaluate and process applications to undertake socialized housing projects, as well as supporting documents therefor, render final or appropriate action thereon, and sign and issue the corresponding permits, clearances, certifications and licenses therefor.

The Chamber of Real Estate and Builders Associations, Inc. (CREBA) or any other non-governmental organization involved in socialized housing projects, and the League of Governors and City Mayors of the Philippines (LGCMP), may be invited and asked by the HUDCC to set up their Desks in the SHOPCs to provide private sector monitoring of the operations of the SHOPCs and provide such other services to facilitate coordination among and between the SHOPC Desks, other government agencies and applicant developers/proponents.

SEC. 2. Powers of the SHOPCs. – Subject to existing laws and the provisions of the preceding Section, the SHOPCs shall, within their respective regions and through the respective Desks of the above-named agencies, exercise the following powers:

a. Issue Locational Clearances, Conversion Orders or Certificates of Exemption (from the coverage of the Comprehensive Agrarian Reform Program [CARP]), Development Permits and Licenses to Sell in favor of applicant developers/proponents of socialized housing projects;

b. Issue Environmental Clearance Certificate whenever required;

c. Determine disturbance compensation for tenant-farmers/farmworkers affected by the land conversion and ensure that affected tenant-farmers/farmworkers are duly compensated;

d. Ensure the simplification of processing and approval of licenses, permits and clearances to comply with the 90-day period mandated under Section 20 of Republic Act No. 7279; and

e. Call on other agencies/entities for support/assistance as may be deemed necessary to attain the objectives set forth under this order.

SEC. 3. *Agency Responsibilities.* – The SHOPC Desks shall have the following responsibilities:

1. *HUDCC Desk*

a. Coordinate, monitor and exercise administrative supervision over the SHOPC;

b. Determine administrative and operational costs of the SHOPC and pro-rate the contribution of each Desk to said costs;

c. In consultation with the agencies concerned, determine the number of staff/personnel required for the effective operation of the SHOPC;

d. Identify and call upon other government agencies or offices whose support is vital to the operation of the SHOPC;

e. Prepare and submit to the HUDCC head office, status reports on the operations and performance of the SHOPC; and

f. Perform such other responsibilities as may be required.

2. *HLURB Desk*

- a. Accept applications for socialized housing projects;
- b. Inspect the proposed project site and determine its suitability for socialized housing purposes;
- c. Recommend to the DAR Desk, the conversion of lands suitable for socialized housing;
- d. Evaluate the application, technical plans as well as other supporting documents and papers in support of the application, and recommend final approval thereof to the concerned LGU;
- e. Issue Locational Clearances and Licenses to Sell;
- f. Subject to par. 4 (a) below, certify that the proposed project site is not included in the DENR list/map of environmentally critical areas; and
- g. Perform such other responsibilities as may be required.

3. *DAR Desk*

- a. Determine and fix the amount of disturbance compensation based on the formula jointly set by the Department of Agriculture (DA) and Department of Agrarian Reform (DAR) pursuant to Sec. 7 (1) of RA No. 6389, and ensure that the affected tenant-farmers/ farmworkers are duly compensated;
- b. Evaluate applications for land conversion/exemption from CARP coverage that may be referred or recommended by the HLURB Desk, and in meritorious cases, issue conversion/exemption certificates therefor; and
- c. Perform such other responsibilities as may be required.

4. *DENR – LMB Desk*

a. Issue Environmental Clearance Certificates relative to applications for projects located within environmentally critical areas but only until such time that the SHOPCs have been furnished with maps and listings of such areas;

b. Verify land surveys and other pertinent plans submitted by applicant developers/proponents;

c. Evaluate and approve subdivision surveys; and

d. Perform such other responsibilities as may be required

5. *DILG Desk*

a. Coordinate with the concerned Sanggunian/LGU to facilitate the required approvals for the project, viz., development/building permits; and

b. Perform such other responsibilities as may be required.

6. *CREBA or Non-Governmental Organization or LGCMP Desks*

a. Assist the HUDCC in monitoring the operations and activities of the SHOPCs to ensure compliance with the provisions of this Order and the guidelines which may be promulgated in connection therewith; and

b. Conduct liaison activities between the various Desks of the SHOPCs and other government agencies, viz., the various offices of the Provincial/City Registers of Deeds, including providing manpower support to the SHOPCs, to facilitate processing and approval of applications/documents.

SEC. 4. *Processing Guidelines and Flow Chart.* – The agencies named in Section 1 hereof shall jointly promulgate specific guidelines as well as a flow chart to expedite and simplify the processing and approval of applications for permits, clearances, certifications

and licenses required to undertake socialized housing projects, in compliance with the mandate that such applications be acted upon within the 90-day period prescribed under Section 20 of Republic Act No. 7279, which guidelines may be revised from time to time, when the need arises.

SEC. 5. *Submission of Certain Documents and Maps to the SHOPCs by Concerned Agencies.* – To ensure the successful operation of the SHOPCs, the following agencies shall, within thirty (30) days from issuance of this Order, submit to the HUDCC, the following documents and maps, which shall be updated regularly, but at least every quarter, whenever requested:

1. *DA*

a. Masterlist and corresponding maps of irrigated and irrigable lands; and

b. Complete listing of the crops and value of annual yields on irrigated and irrigable lands and other types of agricultural lands.

2. *All Cities and Municipalities*

a. Town/city zoning plans;

b. Land-use maps and zoning ordinances; and

c. List and corresponding maps of lands identified as suitable for socialized housing projects/purposes.

3. *DENR-EMB*

a. Complete list and corresponding maps of environmentally critical areas and lands actually used or reserved as parks for flora and fauna, forests and watersheds, and other similar purposes, and other areas necessary, to maintain or assure ecological balance and environmental protection.

4. *HLURB*

- a. Land-use maps and town/city plans approved by the HLURB prior to June 15, 1988; and
- b. List and corresponding maps of urban and urbanizable areas.

5. *DAR*

- a. Master list and maps of lands covered by Voluntary Offer to Sell (VOS), Notice of Acquisition (NA) or Notice of Coverage issued pursuant to the CARP; and
- b. Master list of bona-fide tenant-farmers duly identified as CARP beneficiaries.

SEC. 6. Developer/Proponent's Undertaking and Penalties for Non-Compliance. – (a) To assure completion of the socialized housing project, the applicant developer/proponent shall file together with his application a sworn Undertaking stating that the proposed socialized housing project shall be completed or fully developed within a period of one (1) year from the issuance of the permits, clearances, certificates and licenses therefor for projects having a land area of less than five (5) hectares, and at the rate of at least five (5) hectares per year for projects with a land area of five (5) hectares or more.

(b) In addition to the penalties imposed under existing laws, executive and administrative issuances, the following sanctions shall be imposed on a developer/proponent who has failed to comply with his Undertaking, made misrepresentations in his application, or is found to have committed any act or omission to circumvent the intent and purposes of this Order, as follows:

1. Cancellation/suspension of previously issued permits, clearances, certifications and licenses in connection with the approved socialized housing project; and/or

2. Permanent or limited suspension from engaging in any business related to real estate development or housing projects; and/or

3. Reversion of the land (project site) to its original status as agricultural land.

The agencies named in Section 1 hereof shall jointly promulgate the appropriate guidelines to implement the provisions of this section.

SEC. 7. *Fees.* – In addition to the fees fixed and collected by the concerned agencies in connection with the permits, clearances, certifications and licenses to be issued in favor of an applicant developer/proponent, the SHOPCs are authorized to impose additional fees and charges as may be determined by the HUDCC.

SEC. 8. *Administrative and Operational Costs.* – The component agencies shall include in their respective annual budgets their pro-rata share in the administrative and operational costs of the SHOPCs, in consultation with the HUDCC.

SEC. 9. *Separability Clause.* – In the event any provision hereof is declared invalid by any competent court or tribunal, the other provisions hereof unaffected thereby shall remain in full force and effect.

SEC. 10. *Repealing Clause.* – All executive or administrative issuances or parts thereof inconsistent herewith are hereby amended or modified accordingly.

SEC. 11. *Effectivity.* This Order shall take effect immediately.

DONE in the City of Manila, this 27th day of June in the year of Our Lord, Nineteen Hundred and Ninety-Four.

(Sgd.) FIDEL V. RAMOS
President of the Philippines

By the President:

(Sgd.) TEOFISTO T. GUINGONA, JR.
Executive Secretary

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 203, s. 1994

CREATING THE OVERSIGHT AND EXECUTIVE COMMITTEES
FOR THE NATIONAL GOVERNMENT'S MAJOR SOCIAL
REFORM AGENDA

WHEREAS, In line with the overall objective of national unity, the Executive Branch spearheaded the formulation of major national agenda to set the framework and direction for the efforts of all sectors of Philippine society;

WHEREAS, these major national agenda were framed with the active participation of the legislative branch, the private sector and non-government organizations;

WHEREAS, there are three existing major agenda of the national government, specifically: the Social Pact for Empowered Economic Development (SPEED); the results of the consultations of the National Unification Commission; and, the Social Reform Agenda;

WHEREAS, there are separate oversight, coordinating and monitoring mechanisms to ensure that various government and sectoral commitments that have been incorporated in each of the agenda are implemented and accomplished;

WHEREAS, to attain complementation of commitments for higher impact to identified beneficiaries, efficiency and cost-effectiveness in terms of savings of resources, the oversight, coordinating and monitoring mechanisms as well as the secretariat support for the three major agenda will have to be integrated.

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. Organizational Mechanisms. The following shall constitute the organizational mechanism to ensure implementation of the commitments under the Social Pact, results of the consultations of the National Unification Commission and Social Reform Agenda.

1.1 Oversight Committee: The Legislative-Executive Development Advisory Council. The Legislative-Executive Development Advisory Council is hereby designated to serve as the Oversight Committee which shall undertake the overall supervision, coordination and integration of the national government's three (3) major agenda.

The Oversight Committee shall have the following functions:

a. Oversee and ensure the implementation of commitments under the Social Pact, results of NUC consultations, and Social Reform Agenda;

b. Review and approve a master plan that will effectively integrate the three (3) major agenda; and,

c. Determine all necessary policy and other interventions to ensure the successful implementation of the commitments under the three (3) agenda.

1.2 The Executive Committee: The Social Reform Agenda Council. The Social Reform Agenda Council is hereby designated as the Executive Committee for the national government's major social reform agenda.

a. Functions. The Executive Committee shall have the following specific functions:

a.1 Coordinate all concerns/requirements with various government agencies and non-government sectors to facilitate and ensure effective implementation of the agenda;

a.2 Draw-up supplementary agreements and implementing guidelines for the efficient and effective implementation of the commitments;

a.3 Review and resolve issues and concerns relative to the Social Pact, results of NUC consultations and Social Reform Agenda;

a.4 Monitor and evaluate the implementation of the various commitments;

a.5 Formulate a Master Plan to integrate the Social Pact, results of NUC consultations and Social Reform Agenda, for approval of the Oversight Committee;

a.6 Ensure compliance by all departments/agencies of the commitments under the three (3) major agenda;

a.7 Submit regular integrated accomplishment reports to the Oversight Committee; and,

a.8 Perform such other functions as may be directed by the Oversight Committee.

b. Composition. The President shall serve as the Chairman of the Executive Committee, with the Secretary of the Department of Agrarian Reform as Vice-Chairman and Lead Convenor.

The membership of the committee shall include the nine (9) Agency Flagship Champions as designated under Memorandum Order No. 213 dated 17 June 1994 as well as the following:

b.1 Executive Secretary – Executive Liaison

- | | | | |
|-----|---|---|--|
| b.2 | Presidential Adviser on the Peace Process | – | Peace and Unification |
| b.3 | Secretary of Socio-Economic Planning | – | Economic Planning |
| | Secretary of Education, Culture and Sports | – | Basic Services (Education) |
| b.4 | Secretary of Health | – | Basic Services (Health) |
| b.5 | Secretary of Budget and Management | – | Public Administration |
| b.6 | Commissioner, Presidential Commission to Fight Poverty | – | Poverty Alleviationw |
| b.7 | Commissioner, Presidential Council on Countryside Development | – | Rural Development |
| b.8 | Representatives (one each) | – | Basic Sectors
Labor Sector
Business Sector
Non - Government Organizations |

1.3 Secretariat Support: The Office of the Presidential Adviser on the Peace Process. The Office of the Presidential Adviser on the Peace Process shall provide the necessary staff support to the Executive Committee/SRA Council.

SEC. 2. Responsible Agencies for the Implementation of the Commitments Under the Agenda. The actual implementation of the commitments under the three national government’s major agenda shall still be undertaken by the concerned departments and agencies that have sectoral or functional responsibility/jurisdiction over the commitments, whether individually or jointly.

SEC. 3. Schedule of Meetings. The Executive Committee shall meet at least once a month, or as often as they may deem necessary.

SEC. 4. Funding. The Executive Committee shall be appropriated an amount as may be jointly determined and recommended by the Secretaries of the Departments of Agrarian

Reform and Budget and Management and the Office of the Presidential Adviser on the Peace Process, and to be approved by the President, for its operations. Said fund shall be sourced from the President's Contingent Fund.

SEC. 5. Repealing Clause. This Executive Order repeals or modifies Administrative Order No. 79 dated 08 September 1993, and all orders, issuances, rules and regulations or parts thereof inconsistent thereto.

SEC. 6. Effectivity. This Executive Order shall take effect immediately.

DONE, in the City of Manila, this 27th day of September, in the year of Our Lord, Nineteen Hundred and Ninety-Four.

(Sgd.) FIDEL V. RAMOS
President of the Philippines

By the President:

(Sgd.) TEOFISTO T. GUINGONA, JR.
Executive Secretary

EO 203 s. 1994 repealed or modified AO 79 s. 1993.
EO 203 s. 1994 [sec. 1 (1.3)] was amended by EO 252 s. 1995.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 204, s. 2000

ESTABLISHING AN INTER-AGENCY STEERING COMMITTEE
TO ASSIST LOCAL GOVERNMENT UNITS IN THE
PREPARATION AND COMPLETION OF THEIR
COMPREHENSIVE LAND USE PLANS

WHEREAS, Executive Order No. 72, series of 1993, provides for the preparation and implementation by local government units (LGUs) of Comprehensive Land Use Plans (CLUPs) pursuant to the Local Government Code of 1991;

WHEREAS, the President directed the Department of the Interior and Local Government and the Housing and Land Use Regulatory Board to ensure that the CLUPs of LGUs have been finalized and approved by March 2000;

WHEREAS, some 909 cities/municipalities may not be able to complete or update their CLUPs by March 2000;

WHEREAS, to expedite the completion of all CLUPs by 30 June 2000, there is a need to constitute an inter-agency coordinating body to provide technical assistance to LGUs in the formulation/ updating and approval of their CLUPs.

NOW, THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Republic of the Philippines, by virtue of the powers vested in me by law and the Constitution, do hereby order:

SECTION 1. Establishment of the Inter-Agency Steering Committee. There is hereby established an Inter-Agency Steering Committee to assist LGUs in the preparation and completion of their CLUPs.

The Committee shall be composed of the following:

Secretary, Department of the Interior and Local Government	Chairman
Chief Executive Officer, Housing and Land Use Regulatory Board	Co-Chairman
Director General, National Economic and Development Authority	Member
Secretary, Department of Agriculture	Member
Secretary, Department of Agrarian Reform	Member
Secretary, Department of Environment and Natural Resources	Member
Secretary, Department of Tourism	Member
Secretary, Department of Trade and Industry	Member
Secretary, Department of Transportation and Communications	Member
Secretary, Department of Budget and Management	Member

SEC. 2. Functions. The Committee shall have the following functions:

a. Provide technical assistance to LGUs in the preparation and approval of their CLUPs. Technical assistance shall be in the form of provision of planning guidelines and standards, consultation on all phases of plan formulation, training on planning techniques/methodologies, and institutionalization of planning at the local level.

b. Ensure that the CLUPs of LGUs are consistent with the Medium-Term Philippine Development Plan (1999-2004) for Shelter and Urban Development and other national policies, plans and programs.

c. Organize Local Planning Teams to be composed of city/ municipal development staff, which shall be responsible for the actual preparation of the CLUPs.

d. Prepare implementing guidelines as may be necessary.

SEC. 3. Technical Working Groups. The Committee may create technical working groups (TWGs) at the national or regional level as may be necessary in the performance of its functions.

SEC. 4. Administrative Support. The DILG and the HLURB shall provide secretariat support to the Committee and the TWGs.

SEC. 5. Funding. The DBM is hereby directed to identify sources of funding for the operations and activities of the Committee.

SEC. 6. Reporting Requirements. The Committee shall prepare monthly reports to the President, through the Presidential Management Staff, on the status of its activities.

SEC. 7. Repealing Clause. All issuances, orders, rules and regulations or parts thereof which are inconsistent herewith are hereby repealed or modified accordingly.

SEC. 8. Effectivity. This Executive Order shall take effect immediately.

Done in the City of Manila, this 20th day of January, in the Year of our Lord, Two Thousand.

(Sgd.) JOSEPH EJERCITO ESTRADA
President of the Philippines

By the President:

(Sgd.) RONALDO B. ZAMORA
Executive Secretary

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 228, s. 1987

DECLARING FULL LAND OWNERSHIP TO QUALIFIED FARMER BENEFICIARIES COVERED BY PRESIDENTIAL DECREE NO. 27; DETERMINING THE VALUE OF REMAINING UNVALUED RICE AND CORN LANDS SUBJECT OF P.D. NO. 27; AND PROVIDING FOR THE MANNER OF PAYMENT BY THE FARMER BENEFICIARY AND MODE OF COMPENSATION TO THE LANDOWNER

WHEREAS, Presidential Decree No. 27, for purposes of determining the cost of the land to be transferred to the tenant-farmer, provided that valuation shall be determined by crop productivity;

WHEREAS, there is a need to complete Operation Land Transfer and accelerate the payment to landowners of lands transferred to tenant-farmers; and

WHEREAS, there is also a need to maintain the financial viability of the Land Bank of the Philippines, the financing arm of the agrarian reform program of the government;

NOW, THEREFORE, I, CORAZON C. AQUINO, President of the Philippines, by virtue of the powers vested by the Constitution, hereby order that:

SECTION 1. All qualified farmer beneficiaries are now deemed full owners as of October 21, 1972 of the land they acquired by virtue of Presidential Decree No. 27 (hereinafter referred to as P.D. No. 27).

SEC. 2. Henceforth, the valuation of rice and corn lands covered by P.D. No. 27 shall be based on the average gross production determined by the Barangay Committee on Land Production in accordance with Department Memorandum Circular No 26, series of 1973, and related issuances and regulations of the Department of Agrarian Reform. The average gross production per hectare shall be multiplied by two and a half (2.5), the product of which shall be multiplied by Thirty Five Pesos (₱35.00), the government support price for one cavan of 50 kilos of palay on October 21, 1972, or Thirty One Pesos (₱31.00), the government support price for one cavan of 50 kilos of corn on October 21, 1972, and the amount arrived at shall be the value of the rice and corn land, as the case may be, for the purpose of determining its cost to the farmer and compensation to the landowner.

Lease rentals paid to the landowner by the farmer beneficiary after October 21, 1972, shall be considered as advance payment for the land. In the event of dispute with the landowner regarding the amount of lease rental paid by the farmer beneficiary, the Department of Agrarian Reform and the Barangay Committee on Land Production concerned shall resolve the dispute within thirty (30) days from its submission pursuant to Department of Agrarian Reform Memorandum Circular No. 26, series of 1973, and other pertinent issuances. In the event a party questions in court the resolution of the dispute, the landowner's compensation claim, shall still be processed for payment and the proceeds shall be held in trust by the Trust Department of the Land Bank in accordance with the provisions of Section 5 hereof, pending the resolution of the dispute before the court.

SEC. 3. Compensation shall be paid to the landowners in any of the following modes, at the option of the landowners:

(a) Bond payment over ten (10) years, with ten percent (10%) of the value of the land payable immediately in cash, and the balance in the form of LBP bonds bearing market rates of interest that are aligned with 90-day treasury bills rates, net of applicable

final withholding tax. One-tenth of the face value of the bonds shall mature every year from the date of issuance until the tenth year.

The LBP bonds issued hereunder shall be eligible for the purchase of government assets to be privatized.

(b) Direct payment in cash or kind by the farmer-beneficiaries with the terms to be mutually agreed upon by the beneficiaries and landowners and subject to the approval of the Department of Agrarian Reform; and

(c) Other modes of payment as may be prescribed or approved by the Presidential Agrarian Reform Council.

SEC. 4. All outstanding Land Bank bonds that are retained by the original landowners-payee or by their heirs, are deemed matured up to one-twenty fifth (1/25) of their yearly face value from their date of issue to the date of this Executive Order and may be claimed by the original land owner-payee by surrendering the bonds to the Land Bank. The original landowner-payee may claim payment for the remaining unmatured period of the surrendered bonds under any of the modes of compensation provided in Section 3, subsections (a), (b) or (c) hereof.

In order to meet the financial requirements mentioned in this Section, the Central Bank shall remit to the Land Bank such sums as may be necessary from the Sinking Fund established by the Land Bank from the retirement of its bonds and other long-term obligations and which Sinking Fund is administered by the Central Bank: Provided, however, That there is no change in maturity of other outstanding Land Bank bonds acquired and held by transferees from original bondholders.

The landowner is exempt from capital gains tax on the compensation paid to him under this Executive Order.

SEC. 5. In the event the landowner does not accept payment of the compensation due him, his compensation shall be held in

trust for him by the Trust Department of the Land Bank. The cash portion of the compensation and such portions that mature yearly shall be invested by the Trust Department only in government securities fully guaranteed by the Republic of the Philippines. All the net earnings of the investment shall be for the benefit of the landowner, his heirs or successors in interest.

The rights of the landowner may be exercised by his heirs upon his death.

SEC. 6. The total cost of the land including interest at the rate of six percent (6%) per annum with a two percent (2%) interest rebate for amortizations paid on time, shall be paid by the farmer-beneficiary or his heirs to the Land Bank over a period of up to twenty (20) years in twenty (20) equal annual amortizations. Lands already valued and financed by Land Bank are likewise extended a 20-year period of payment of twenty (20) equal annual amortizations. However, the farmer-beneficiary if he so elects, may pay in full before the twentieth year or may request the Land Bank to structure a repayment period of less than twenty (20) years if the amount to be financed and the corresponding annual obligations are well within the farmer's capacity to meet. Ownership of lands acquired by the farmer-beneficiary may be transferred after full payment of amortizations.

SEC. 7. As of the date of this Executive Order, a lien by way of mortgage shall exist in favor of the Land Bank on all lands it has financed and acquired by the farmer-beneficiary by virtue of P.D. No. 27 for all amortizations, both principal and interest, due from the farmer-beneficiary or a valid transferee until the amortizations are paid in full.

SEC. 8. Henceforth, failure on the part of the farmer-beneficiary to pay three (3) annual amortizations shall be sufficient cause for the Land Bank to foreclose on the mortgage.

SEC. 9. Thirty (30) days after final notice for payment to the defaulting tenant-farmer, a copy of which notice shall be furnished

to the Department of Agrarian Reform, the Land Bank may foreclose on the mortgage by registering a certification under oath of its intent to foreclose with the Registry of Deeds of the city or province where the land is located attaching thereto: a copy of the final notice for payment; proof of service to the tenant-farmer and the Department of Agrarian Reform of the final notice for payment; and a certification that at least three (3) annual amortizations on the land or the sum thereof remain unpaid. The mortgage is deemed foreclosed upon registration of said documents with the Registry of Deeds.

In the event the defaulting tenant-farmer could not be served the final notice for payment, the Land Bank shall post the notice for payment in the town hall, public market and barangay hall or any other suitable place frequented by the public of the barangay where the defaulting tenant-farmer resides. A certification by the Land Bank to this effect will substitute for the proof of service of the final notice of payment for purposes of foreclosure.

The Register of Deeds of all cities and provinces are directed to have a separate registry book to enter all the requirements of foreclosure as provided herein.

SEC. 10. The tenant-farmer, or any of his compulsory heirs may lift the foreclosure within a period of two (2) years from its registration by paying the Land Bank all unpaid amortizations on the land with interest thereon of six percent (6%) per annum. In case of failure to lift the foreclosure within the said period, ownership of the land shall be deemed transferred to the Land Bank.

SEC. 11. The Land Bank, not later than three (3) months after its acquisition of the land, shall sell the foreclosed land to any interested landless farmer duly certified to as a bona fide landless farmer by the Department of Agrarian Reform of the barangay or the two closest barangays where the land is situated. The cost of the land is the unpaid amortizations due on the land as of the date of the sale with interest thereon of six percent (6%) per annum. In the event that there is more than one interested buyer, the actual buyer

shall be determined by lottery in the presence of all the buyers or their representatives and a representative of the Department of Agrarian Reform. The Deed of Conveyance executed by the Land Bank in favor of the farmer transferee shall be registered with the Register of Deeds of the city or province where the land is located. Ownership shall transfer to the farmer transferee only upon registration with the Registry of Deeds. The lien of the Land Bank by way of mortgage on the remaining unpaid amortizations shall subsist on the title of the transferee.

SEC. 12. The Land Bank, at least one (1) month prior to the sale, shall furnish the Department of Agrarian Reform with a notice of sale and shall post a similar notice in the town hall, public market and barangay hall or any other suitable place frequented by the public of the barangay where the property is located. The notice shall state the description of the property subject of the sale, the price, the date and place of sale.

SEC. 13. The National Land Titles and Deeds Registration Administration is hereby authorized to issue such rules and regulations as may be necessary relative to the registration with the Register of Deeds of all transactions/activities required herein taking into consideration the need to protect the integrity of the Torrens System, the interests of the parties and innocent third parties.

All transactions/activities and their corresponding documents that are registered with the Register of Deeds pursuant to the requirements of P.D. No. 27 and this Executive Order shall be free from all documentary stamps and registration fees.

SEC. 14. The Department of Agrarian Reform and the Land Bank are authorized to issue the additional implementing guidelines of this Executive Order which shall not be later than sixty (60) days from the date hereof.

SEC. 15. To ensure the successful implementation of the Agrarian Reform Program, an Agrarian Reform Operating Fund

(Agrarian Fund) shall be set up by the National Government in the Land Bank. The amount of this Agrarian Fund, to be determined by the Government Corporation Monitoring and Coordinating Committee (hereinafter referred to as GCMCC), will source the funding requirements for Land Bank to carry out the full implementation of this program which will include the net operating losses directly and indirectly attributable to this program and the credit facilities to farmers and farmers' organizations. Within thirty (30) days from the effectivity of this Executive Order, the Land Bank shall submit to the GCMCC its funding requirements for 1987. Thereafter, within sixty (60) days after the end of each calendar year, the Land Bank shall submit to the GCMCC an accounting of all drawings the Land Bank had made against the Fund. At the same time, it will also submit its prospective funding requirements for the current year for review and validation of the GCMCC. The amount approved by the GCMCC shall be deemed appropriated and the amount programmed for release in coordination with the Departments of Finance, Budget and Management and the National Economic and Development Authority. Within thirty (30) days from GCMCCs approval, such funds shall be remitted to the Land Bank for credit to the Agrarian Fund.

SEC. 16. If any part of this Executive Order is declared invalid or unconstitutional, it shall not affect any other part thereof.

SEC. 17. All laws, presidential decrees, orders, letters of instructions, rules and regulations, and other issuances or parts thereof inconsistent with this Executive Order are hereby repealed or modified accordingly.

SEC. 18. This Executive Order shall take effect upon its signing and publication as provided by law.

DONE in the City of Manila, this 17th day of July, in the year of Our Lord, nineteen hundred and eighty-seven.

(Sgd.) CORAZON C. AQUINO
President of the Philippines

By the President:

(Sgd.) JOKER P. ARROYO
Executive Secretary

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 229, s. 1987

PROVIDING THE MECHANISMS FOR THE IMPLEMENTATION
OF THE COMPREHENSIVE AGRARIAN REFORM
PROGRAM

WHEREAS, by virtue of Proclamation No. 131 dated July 22, 1987 the Comprehensive Agrarian Reform Program has been instituted;

WHEREAS, there is a need to provide for the mechanisms to start the implementation of the program;

WHEREAS, public hearings and consultations were held to determine appropriate mechanisms capable of being established;

NOW, THEREFORE, I, CORAZON C. AQUINO, President of the Philippines by virtue of the powers vested in me by the Constitution, do hereby order:

CHAPTER I. COVERAGE

SECTION 1. Scope. - The Comprehensive Agrarian Reform Program (CARP) shall cover, regardless of tenurial arrangement and commodity produced, all public and private agricultural lands as provided in Proclamation No. 131 dated July 22, 1987, including whenever applicable in accordance with law, other lands of the public domain suitable to agriculture.

SEC. 2. Implementation. - Land acquisition and distribution shall be implemented as provided in this Order as to all kinds of lands under the coverage of the program, subject to such priorities and reasonable retention limits as the Congress may

under the Constitution prescribe, taking into account ecological, developmental, or equity considerations, and subject to the payment of just compensation.

SEC. 3. Exemptions. - Lands actually used and found to be necessary for national defense, school sites and campuses, religious purposes, penal colonies, and government research and quarantine centers, are exempted from the coverage of the program.

SEC. 4. Compulsory Registration. - Within one hundred eighty (180) days from the effectivity of this Order, all natural and juridical persons, including government entities, owning, leasing or managing agricultural lands shall file a sworn statement in the proper Assessor's Office in the form to be prescribed by the Department of Agrarian Reform (DAR). This statement shall include among others, (a) the description and area of the property; (b) the estimated average gross income from the property; (c) the names of all tenants and regular farmworkers therein; (d) the crop(s) planted in the property and the area covered by each crop as of June 1, 1987; (e) the terms of mortgages, leases, and management contracts subsisting as of June 1, 1987; (f) the latest declared market value of the land as determined by the City/Provincial Assessor; and (g) a sworn declaration of the current fair market value, which the owner wishes to receive if the property should be acquired by the government for agrarian reform purposes.

If the landowner fails to register within the prescribed period, the government shall base the valuation of his property for landowner compensation purposes on the City/Provincial Assessor's value. Beginning with the quarter immediately following this registration, the real property tax payable shall be based on the abovementioned owner's declaration of current fair market value.

CHAPTER II. - PRIVATE LAND ACQUISITION

SEC. 5. Procedure of Acquisition. - After the land, landowners, and beneficiaries shall have been identified, the DAR shall publish its decision to acquire the land and notify the landowners thereof,

together with the offer of the DAR to pay for the land as provided in Section 6 hereunder.

Within fifteen (15) days from publication and notice, the landowner shall signify to the DAR his acceptance or rejection of the offer.

If the landowner accepts the offer of the DAR, the Land Bank of the Philippines (LBP) shall pay the landowner the purchase price of the land within fifteen (15) days after he surrenders the Certificate of Title and other relevant documents required by the DAR and the LBP.

In case of rejection or if no reply is received, the DAR shall conduct administrative summary proceedings to determine the compensation for the land, requiring the landowner, the LBP, and other interested parties to submit within fifteen (15) days from the receipt of notice, evidence as to the compensation for the land. After the expiration of the above period, the matter is deemed submitted for decision.

Within fifteen (15) days from receipt of the decision, the LBP shall establish a trust fund for the landowner concerned in the amount decided and notify the landowner and the DAR of its establishment.

Any party who disagrees with the decision may bring the matter to the proper court for determination of just compensation.

After the establishment of the trust fund or receipt by the DAR of the landowner's acceptance of the offer, the DAR shall take immediate possession of the land. Upon formal notification by the DAR, the Register of Deeds shall issue a Transfer Certificate of Title (TCT) in the name of the Republic of the Philippines as Trustee for and in behalf of qualified beneficiaries. Thereupon, the DAR shall proceed with the redistribution of the land to the qualified beneficiaries.

The rights and responsibilities of ownership by the beneficiaries commence at the time of their designation as awardees-owners by the DAR, as evidenced by a Certificate of Landownership Award in their favor.

SEC. 6. Compensation to Landowners. The LBP shall compensate the landowner an amount to be established by the government, which shall be based on the owner's declaration of current fair market value as provided in Section 4 hereof, but subject to certain controls to be defined and promulgated by the Presidential Agrarian Reform Council (PARC) as provided in Section 18 hereof. The compensation shall be paid in any of the following modes, at the option of the landowner:

a. Bond payment over ten (10) years, with ten (10) percent of the value of the land payable immediately in cash and the balance in the form of LBP bonds bearing market rates of interest that are aligned with 91-day treasury bills rates, net of applicable final withholding tax. One-tenth of the face value of the bonds shall mature every year from the date of issuance until the tenth year;

The LBP bonds issued hereunder shall be eligible at face value for the purchase of government assets to be privatized;

b. Direct payment in cash or kind by the farmer-beneficiaries with the terms to be mutually agreed upon by the beneficiaries and landowners and subject to the approval of the DAR; and

c. Other modes of payment as may be prescribed or approved by the PARC.

SEC. 7. Assistance to Landowners. - Landowners affected by this Order shall be assisted and provided by the LBP with the following services:

a. Investment information and counseling assistance;

b. Conversion and/or exchange of LBP bonds to/from government stocks and/or with government assets; and

c. Marketing of LBP bonds.

CHAPTER III. - LAND TRANSFER, UTILIZATION, AND SHARING

SEC. 8. Voluntary Land Transfer. Landowners whose lands are subject to redistribution under this Order have the option of entering into a voluntary agreement for direct transfer of their lands to appropriate beneficiaries, under terms and conditions acceptable to both parties and subject to the approval of the DAR. The general guidelines for voluntary land transfer are:

a. The beneficiaries are determined by the DAR to be the same individuals who would be eligible to purchase the land in case the government under this Order acquired the land for resale;

b. The area of land to be transferred is no less than the area which the government, under this Order, would otherwise acquire for resale;

c. The terms and conditions of the government's standing offer to purchase from the landowner and standing offer to resell to the beneficiaries are fully known and understood by both parties;

d. The voluntary transfer agreement shall include sanctions for non-compliance by either party and shall be binding and irrevocable for both parties, shall be duly recorded at and monitored by the DAR.

SEC. 9. Voluntary Offer to Sell. - The government shall purchase all agricultural lands it deems productive and suitable to farmer cultivation voluntarily offered for sale to it at a valuation determined in accordance with Section 6. Such transactions shall be exempt from the payment of capital gains tax and other taxes and fees.

SEC. 10. Corporate Landowners. - Corporate landowners may give their workers and other qualified beneficiaries the right to purchase such proportion of the capital stock of the corporation that the land assets bear in relation to the corporation's total assets, and grant additional compensation which may be used for this purpose. The approval by the PARC of a plan for such stock distribution, and its initial implementation, shall be deemed compliance with the land distribution requirements of the CARP.

SEC. 11. Leases, Management Contracts, Mortgages, and Claims. - Leases and management contracts on land covered by land distribution and registered with the Register of Deeds prior to the approval of this Order may continue under their original terms and conditions, but not beyond five (5) years from the effectivity of this Order; provided that upon expiration, leases and management contracts may only be renewed subject to the agreement of the qualified beneficiaries, and provided further that upon the distribution or award of the land, where the existing lease rentals are not acceptable to the qualified beneficiaries, such rentals shall be renegotiated with the assistance of the Barangay Agrarian Reform Council (BARC). If the parties fail to agree, the DAR shall determine the rental. Mortgages and other claims registered with the Register of Deeds will be assumed by the government up to the landowner's compensation value as provided for in Section 6 hereof.

SEC. 12. Payment of Beneficiaries. - Land acquired and redistributed by the government shall be paid for by the beneficiaries in thirty (30) equal annual payments at six (6) percent per annum interest, with the first payment due one year after resale, and a two (2) percent interest rebate for amortizations paid on time, provided, that in no case shall the annual amortizations exceed ten (10) percent of the land's annual value of gross production. Should the amortization exceed ten (10) percent, the LBP shall reduce the interest rate and/or reduce the principal obligation to make the repayments affordable. Incentives shall be given for prepayments.

The LBP shall have a lien by way of mortgage on the land acquired by the beneficiary and this mortgage may be foreclosed by

the LBP when the outstanding principal balance unpaid and past due reaches the equivalent of three (3) annual amortizations.

SEC. 13. Credit Support. - Upon land transfer, each beneficiary who actually farms his land shall be eligible for a production loan to finance one crop cycle under terms and conditions to be determined by the LBP on a case to case basis, renewable upon repayment.

SEC. 14. Collective or Individual Ownership. - For lands with multiple beneficiaries, ownership of whole parcels or estates may be transferred to the farmer-beneficiaries collectively or individually, at the option of the beneficiaries, provided, that in collective ownership, each beneficiary shall have an undivided share of the land held in common equivalent to not more than the applicable retention limit. The beneficiaries may collectively decide on the continued operation of the parcel/estate as a whole or to subdivide the same into individual lots and determine the manner in which such subdivision is to be implemented.

SEC. 15. Distribution and Utilization of Public Lands. - All alienable and disposable lands of the public domain suitable for agriculture and outside proclaimed settlements shall be distributed by the Department of Environment and Natural Resources (DENR) to qualified beneficiaries as certified to jointly by the DAR and the DENR.

SEC. 16. Production Sharing. - Individuals or entities owning and/or operating under lease agricultural lands with gross sales in excess of Five Million Pesos (P5 million) per annum are hereby mandated to execute a production sharing plan whereby at least two and one-half (2.5) percent of the gross sales from the production/cultivation of such lands are distributed as compensation to the farmworkers over and above the compensation they currently receive, provided that such individuals or entities are not obligated to pay more than 100 percent of the regular and annual compensation of the farmworkers.

CHAPTER IV. - IMPLEMENTING AND COORDINATING MECHANISMS

SEC. 17. Quasi-Judicial Powers of the DAR. - The DAR is hereby vested with quasi-judicial powers to determine and adjudicate agrarian reform matters, and shall have exclusive original jurisdiction over all matters involving implementation of agrarian reform, except those falling under the exclusive original jurisdiction of the DENR and the Department of Agriculture (DA).

The DAR shall have powers to punish for contempt and to issue subpoena, subpoena duces tecum and writs to enforce its orders or decisions.

The decisions of the DAR may, in proper cases, be appealed to the Regional Trial Courts but shall be immediately executory notwithstanding such appeal.

SEC. 18. The Presidential Agrarian Reform Council (PARC). - To coordinate the implementation of the CARP and to ensure the timely and effective delivery of the necessary support services, there is hereby created the Presidential Agrarian Reform Council composed of the President as Chairman, and the Secretaries or Heads of the following agencies, as follows:

Department of Agrarian Reform	Vice Chairman
Department of Agriculture	- Vice Chairman
Department of Environment and Natural resources	- Vice Chairman
Executive Secretary	Member
Department of Budget and Management	- Member
Department of Finance	- Member
Department of Justice	- Member
Department of Labor and Employment	- Member
Department of Local Government	- Member
Department of Public Works and Highways	- Member

Department of Trade & Industry	-	Member
Department of Transportation and Communications	-	Member
National Economic and Development Authority	-	Member
Land Bank of the Philippines	-	Member
Presidential Commission on Good Government	-	Member

The President shall appoint representatives of agrarian reform beneficiaries and affected landowners as members of PARC.

The DAR shall provide the Secretariat for the PARC and the Secretary of Agrarian Reform shall be the Director-General thereof.

The PARC shall formulate and/or implement the policies, rules and regulations necessary to implement each component of the CARP, and may authorize any of its members to formulate rules and regulations concerning aspects of agrarian reform falling within their area of responsibility. These policies, rules and regulations shall include the following:

a. Recommended small farm economy areas, which shall be specific by crop and based on thorough technical study and evaluation;

b. The schedule of acquisition and redistribution of specific agrarian reform areas, provided that such acquisition shall not be implemented until all the requirements are completed, including the first payment to the landowners concerned.

c. Control mechanisms for evaluating the owner's declaration of current fair market value as provided in Section 4 hereof in order to establish the government's compensation offer as provided in Section 6 hereof, taking into account current land transactions in the locality, the landowner's annual income from his land, and other factors.

PARC shall have an Executive Committee composed of the Secretary of Agrarian Reform as Chairman, and Secretaries or Heads of the following agencies as members:

Executive Secretary
Department of Agriculture
Department of Environment and Natural Resources
Department of Finance
Department of Public Works and Highways
Land Bank of the Philippines

Within ninety (90) days from the effectivity of this Order, the Executive Committee of PARC shall complete a Program of implementation incorporating the physical targets, implementation schedule and support requirements of agrarian reform, and shall submit the same to the PARC for approval. Such program of implementation shall take into account, and be consistent with, priorities and retention limits that Congress may in the meantime prescribe, and the following basic policies and guidelines set forth in the Constitution:

a. The CARP is founded on the right of farmers and regular farmworkers, who are landless, to own directly or collectively, the lands they till or, in the case of other farmworkers, to receive a just share of the fruits thereof;

b. The right of small landowners shall be respected;

c. Voluntary land-sharing shall be encouraged;

d. Farmers, farmworkers, landowners, cooperatives and/or independent farmers' organizations have the right to participate in the planning, organization, and management of the CARP;

e. In lands of the public domain, the CARP shall respect prior rights, homestead rights of small settlers, and the rights of indigenous communities to their ancestral lands;

f. Support to agriculture through appropriate technology and research, and adequate financial, production, marketing, and other support services must be provided;

g. Landowners shall be encouraged to invest the proceeds of the agrarian reform program to promote industrialization, employment creation, and privatization of public sector enterprises; and

h. At the earliest possible time, idle or abandoned agricultural lands as may be defined by law shall be expropriated for distribution to the beneficiaries of the agrarian reform program.

SEC. 19. Barangay Agrarian Reform Council (BARC). - On matters related to agrarian reform, the DAR shall convene at the barangay level, a Barangay Agrarian Reform Council. The BARC shall be operated on a self- help basis and will be composed of the following:

- a. Representative/s of farmer and farm worker beneficiaries;
- b. Representative/s of farmer and farmworker non-beneficiaries;
- c. Representative/s of agricultural cooperatives;
- d. Representative/s of other farmer organizations;
- e. Representative/s of the Barangay Council;
- f. Representative/s of non-government organizations (NGOs);
- g. Representative/s of landowners;
- h. DA official assigned to the barangay;
- i. DENR official assigned to the area;

- j. DAR Agrarian Reform Technologist assigned to the area who shall act as the Secretary; and
- k. Land Bank of the Philippines representative.

The functions of the BARC shall be:

- a. To participate and give support to the implementation of programs on agrarian reform;
- b. To mediate, conciliate or arbitrate agrarian conflicts and issues that are brought to it for resolution; and
- c. To perform such other functions that the PARC, its Executive Committee, or the DAR Secretary may delegate from time to time.

CHAPTER V. - FINANCING

SEC. 20. Agrarian Reform Fund. - As provided in Proclamation No. 131 dated July 22 , 1987, a special fund is created, known as The Agrarian Reform Fund, an initial amount of FIFTY BILLION PESOS (₱50 billion) to cover the estimated cost of the CARP from 1987 to 1992 which shall be sourced from the receipts of the sale of the assets of the Asset Privatization Trust (APT) and receipts of sale of ill-gotten wealth recovered through the Presidential Commission on Good Government and such other sources as government may deem appropriate. The amount collected and accruing to this special fund shall be considered automatically appropriated for the purpose authorized in this Order.

SEC. 21. Supplemental Appropriations. - The amount of TWO BILLION SEVEN HUNDRED MILLION PESOS (₱2.7 billion) is hereby appropriated to cover the supplemental requirements of the CARP for 1987, to be sourced from the receipts of the sale of ill-gotten wealth recovered through the Presidential Commission on Good Government and the proceeds from the sale of assets by the APT. The amount collected from these sources shall accrue to The Agrarian Reform Fund and shall likewise be considered automatically appropriated for the purpose authorized in this Order.

CHAPTER VI. - SANCTIONS

SEC. 22. Permanent Disqualification. - Persons, associations, or entities who prematurely enter the land to avail themselves of the rights and benefits hereunder, shall be permanently disqualified from receiving benefits and shall forfeit their rights hereunder.

SEC. 23. Contempt. - Persons, associations, or entities who willfully prevent or obstruct the implementation of the CARP shall be liable for contempt.

CHAPTER VII. - GENERAL PROVISIONS

SEC. 24. Ancestral Lands. - Within the framework of national unity and development, the rights of indigenous cultural communities to their ancestral lands are hereby protected to ensure their economic, social, and cultural well-being.

SEC. 25. Immunity of Government Agencies from Undue Interference. - No injunction, restraining order, prohibition or mandamus shall be issued by the lower courts against the DAR, the DA, the DENR and the Department of Justice in their implementation of the CARP.

SEC. 26. Assistance of other Government Entities. - The PARC in the exercise of its functions is hereby authorized to call upon the assistance and support of other government agencies, bureaus, and offices, including government-owned or controlled corporations.

SEC. 27. Applications of Existing Legislation. - Presidential Decree No. 27, as amended, shall continue to operate with respect to rice and corn lands, covered thereunder. The provisions of Republic Act No. 3844 and other agrarian laws not inconsistent with this Order shall have supplementary effect.

SEC. 28. Free Registration of Patents and Titles. - All Registers of Deeds are hereby directed to register free from payment of all

fees, patents, titles, and documents required in the implementation of the CARP.

SEC. 29. Separability Clause. - If, for any reason, any section or provision of this Order shall be held unconstitutional or invalid, no other section or provision hereof shall be affected thereby.

SEC. 30. Repealing Clause. - All laws, issuances, decrees or any part or parts thereof inconsistent with the provisions of this Order are hereby repealed or amended accordingly.

SEC. 31. Effectivity Clause. - This Executive Order shall take effect fifteen (15) days after publication in the Official Gazette or in a newspaper of general circulation in the Philippines.

APPROVED, in the City of Manila, Philippines, this 22nd day of July, 1987.

(Sgd.) CORAZON C. AQUINO
President of the Philippines

By the President:

(Sgd.) JOKER P. ARROYO
Executive Secretary

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 252, s. 1995

AMENDING EXECUTIVE ORDER NO. 203 ENTITLED: “CREATING THE OVERSIGHT AND EXECUTIVE COMMITTEES FOR THE NATIONAL GOVERNMENT MAJOR SOCIAL REFORM AGENDA”

WHEREAS, the Social Agenda sets the framework and direction for the efforts of all sectors of Philippine society in line with the overall objective of national unity, and intends to improve access to quality basic services; accelerate asset reform and sustainable development of productive resources; and allow greater access to economic opportunities; and strengthen institution-building and participation in governance of Basic Sectors in priority geographic areas;

WHEREAS, the successful implementation of the SRA aimed at a rapid improvement in the levels of well-being of sectors, most especially the disadvantaged, and communities, and to an enhancement of the nation’s competitiveness requires an effective mechanism for day-to-day monitoring and periodic strategic, policy and program review in the broad context of the Administration’s vision for an empowered democracy and development;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Philippines, by virtue of the powers vested in me by law and the Constitution, do hereby order:

SECTION 1. Section 1 (1.3) of Executive Order No. 203 is hereby amended to read as follows:

“1.3 Secretary-General of the Executive Committee/SRA Council. There shall be a Secretary-General of the Executive

Committee/Social Reform Agenda (SRA) Council to be appointed by the President with the following functions:

a. Assist in the coordination of all concerns/requirements with various Government agencies and non-government sectors to facilitate and ensure effective implementation of the SRA;

b. Assist the Lead Convenor in day-to-day requirements of the Council in effectively coordinating interagency initiatives, synchronizing national and local programs and facilitating multisectoral activities among government and NGO sectors;

c. Head the Secretariat whose staff support shall be provided by the Office of the Presidential Adviser for the Peace Process and the Office of the Secretary of the Department of Agrarian Reform;

d. Perform other tasks as may be assigned by the Executive Committee/SRA Council.”

SEC. 2. All Executive Orders and other administrative issuances inconsistent herewith are hereby repealed or modified accordingly.

SEC. 3. This Order shall take effect immediately.

DONE in the City of Manila, this 19th day of June in the year of Our Lord, Nineteen Hundred and Ninety Five.

(Sgd.) FIDEL V. RAMOS
President of the Philippines

By the President:

(Sgd.) RUBEN D. TORRES
Executive Secretary

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 267, s. 1995

PROVIDING FOR THE ISSUANCE OF NATIONAL GOVERNMENT
BONDS TO BE KNOWN AS AGRARIAN REFORM (AR)
BONDS

WHEREAS, Section 18 of Republic Act No. 6657, otherwise known as the Comprehensive Agrarian Reform Law, allows the compensation of landowners for their agricultural landholdings subject to the Government's Comprehensive Agrarian Reform Program (CARP) to be paid in government financial instruments negotiable at any time;

WHEREAS, National Government Bonds fall within the term "government financial instruments negotiable at any time."

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby order:

1. The issuance of Agrarian Reform (AR) Bonds for CARP payments and carrying of said AR Bonds in the books of the National Government. The AR Bonds, which shall be used by the Land Bank of the Philippines (LBP) for land transfer payments under the agrarian reform program in accordance with existing law, shall have the same features as the LBP Bonds under the CARP;

2. The segregation of the accounts of CARP-related transactions in the books of account maintained by the Land Bank of the Philippines, except those specifically shouldered by the Land Bank of the Philippines; and

3. The enactment in trust with the Land Bank of the Philippines of such portions of the Agrarian Reform Fund (ARF) and of other funds authorized by law for the CARP, as directed by the Department of Finance/Bureau of Treasury in compliance with the provisions of the agrarian reform law.

The Department of Finance, the Land Bank of the Philippines, the Department of Budget and Management, the Bureau of Treasury and all other government agencies concerned are hereby directed to coordinate with one another on the printing, issuance, servicing and safekeeping of AR Bonds, the segregation of the accounts of CARP-related transactions in the books of account maintained by the Land Bank of the Philippines and the placement of the ARF in trust with the Land Bank of the Philippines.

In the implementation of this order

a) LBPs functions and responsibilities in the Comprehensive Agrarian Reform Program, as defined in the law, will be fully maintained;

b) LBP will continue to be the principal agency handling land transfer payments to landowners; and

c) Separate financial statements and records will be maintained for CARP-related transactions and the LBP will be responsible for the administration of all the ARF funds entrusted to it or brought under its control.

DONE in the City of Manila, this 25th day of July, in the year of Our Lord, Nineteen Hundred and Ninety-Five.

(Sgd.) FIDEL V. RAMOS
President of the Philippines

By the President:

(Sgd.) RUBEN D. TORRES
Executive Secretary

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 290, s. 2000

STREAMLINING THE STRUCTURE AND FUNCTIONS OF THE
DEPARTMENT OF AGRARIAN REFORM AND FOR OTHER
PURPOSES

WHEREAS, Presidential Proclamation No. 131 and Executive Order No. 229 both dated July 22, 1987 instituted a Comprehensive Agrarian Reform Program (CARP) and provided the mechanisms for its implementation;

WHEREAS, Executive Order No. 129-A dated July 26, 1987 reorganized and strengthened the Department of Agrarian Reform in order to carry out its mandate;

WHEREAS, Republic Act No. 6657, approved on June 10, 1988, redefined the scope of the Comprehensive Agrarian Reform Program and re-emphasized its purpose/objective which is to ensure that the welfare of the landless farmers and farmworkers will receive the highest consideration to promise social justice and to move the nation towards sound rural development and industrialization;

WHEREAS, there is a need to rationalize, re-align and streamline the present organization structure and functions of the Department in order to respond to the new thrusts as spelled out under RA 6657, to meet the challenges of the global and modernizing economy and to attune itself to emerging local and international development imperatives and deliver its services to its clientele with greater efficiency and effectiveness;

WHEREAS, Section 20, Chapter 7, Title I, Book III of Executive Order No. 292 series of 1987, otherwise known as the "Administrative Code of 1987," empowers the President of the

Philippines to exercise such powers and functions as are vested in him under the law;

WHEREAS, Section 76 of the General Provisions of RA 8760, otherwise known as the “General Appropriations Act of 2000,” empowers the President to direct changes in organization and key positions of any department, bureau or agency;

WHEREAS, Section 78 of the same Act provides, among others, that the heads of departments, bureaus, offices and agencies and other entities in the Executive Branch are directed to conduct a comprehensive review of their respective mandates, functions, programs, projects, activities and systems and procedures; identify activities which are no longer essential in the delivery of public services and which may be scaled down, phased down, or abolished; and adopt measures that will result in the improved overall performance and productivity of their respective agencies;

WHEREAS, Section 32 of Executive Order No. 129-A provides that “No change in the reorganization herein prescribed shall be valid except upon prior approval of the President for the purpose of promoting efficiency and effectiveness in the delivery of public services”;

NOW, THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Republic of the Philippines, by virtue of the power vested in me by law, do hereby order the following:

SECTION 1. Mandate. The Department of Agrarian Reform shall continue to pursue its mandate and exercise its powers as provided for under RA 6657 otherwise known as the “Comprehensive Agrarian Reform Law” (CARL) and of Executive Order No. 129-A dated July 26, 1987 of Agrarian Reform and for Other Purposes.

SEC. 2. Preparation of a Rationalization and Streamlining Plan. In view of the functional and operational redirection in the DAR and to effect efficiency and effectiveness in its activities, the Department shall prepare a Rationalization and Streamlining Plan

(RSP) which shall be the basis for the intended changes. The RSP Plan shall contain the following:

a) the specific shift in policy directions, missions, visions, core values, functions, programs and service delivery processes and strategies;

b) the structural and organizational shift, stating the specific functions and activities by organizational unit and the relationship of each units;

c) the staffing shift if any, highlighting and itemizing the existing filled and unfilled positions; and

d) the resource allocation shift, specifying the effects of the streamlined set-up on the agency budgetary allocation and indicating where possible, savings that have been generated.

The RSP shall be submitted to the Department of Budget and Management for approval before the corresponding shifts shall be affected by the DAR Secretary.

SEC. 3. Redeployment of Personnel. The redeployment of officials and other personnel on the basis of the approved RSP shall not result in diminution in rank or in compensation or both, of existing personnel. It shall take into account all pertinent Civil Service Laws and rules and regulations.

SEC. 4. Funding. The financial resources needed to implement the Rationalization and Streamlining Plan shall be taken from funds available in the DAR, provided that the local requirements for the implementation of the revised staffing pattern shall not exceed available funds for Personnel Services.

SEC. 5. Separation Benefits. Personnel who opt to be separated from the service as a consequence of the implementation of this Executive Order shall be entitled to the benefits under existing

laws. Those who are not covered by existing laws shall be entitled to separation benefits equivalent to one (1) month basic salary for every year of service or proportionate share thereof in addition to the terminal leave benefits which the employee is entitled to under existing laws.

SEC. 6. Implementing Authority. Following the approved RSP, the DAR Secretary, in addition to his authority to implement the RSP is hereby authorized to determine the type of agencies and facilities necessary to carry out the Department's mandate and powers, including the pilot testing of programs following strictly the principles of efficiency and effectiveness.

SEC. 7. Transition Mechanism. Pending approval of the RSP, the DAR Secretary is hereby authorized to adopt such interim structures and mechanisms, including but not limited to, detailing, reassigning and/or designating such number of critical officials and personnel who will be needed to ensure a smooth transition towards the new organization thrusts, policies and structures, provided that such detail, reassignment and/or designation shall be guided by the provisions of the Civil Service Law on the matter.

SEC. 8. Separability. Any portion or provision of this Executive Order that may be declared unconstitutional shall not have the effect of nullifying other portions or provisions hereof as long as such remaining portions or provisions can still subsist and be given effect in their entirety.

SEC. 9. Repealing Clause. All other orders, memorandum circulars, rules and regulations, and other issuances inconsistent with this Executive Order are hereby repealed or modified accordingly.

SEC. 10. Effectivity. This Executive Order shall take effect immediately.

Done in the City of Manila this 22nd day of September, in the year of our Lord, two thousand.

(Sgd.) JOSEPH EJERCITO ESTRADA
President of the Philippines

By the President:

(Sgd.) RONALDO B. ZAMORA
Executive Secretary

MALACAÑANG

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 313, s. 2000

**RATIONALIZING THE USE OF THE COCONUT LEVY FUNDS
BY CONSTITUTING A “FUND FOR ASSISTANCE TO
COCONUT FARMERS” AS AN IRREVOCABLE TRUST FUND
AND CREATING A COCONUT TRUST FUND COMMITTEE
FOR THE MANAGEMENT THEREOF**

WHEREAS, several legislations were enacted imposing coconut levies intended to establish funds for the support and development of the coconut industry and for the benefit of coconut farmers;

WHEREAS, pursuant to said legislations, the United Coconut Planters Bank as the designated Administrator of the Coconut Levy Funds under the statutory provisions of Presidential Decree No. 755 and Presidential Decree No. 1468, invested a portion (hereinafter referred to as the Coconut Industry Investment Fund [“CIIF”] of the Coconut Consumers Stabilization Fund and the Coconut Industry Development Fund), not required to be utilized for the purposes for which said Funds were established, in shares of stock of various corporations, including San Miguel Corporation (“SMC”);

WHEREAS, the shares of stock in the SMC acquired through the use of the CIIF (hereinafter referred to as the “CIIF SMC Shares”) are registered in the names of various corporations (hereinafter referred to as the “CIIF Holding Companies”) which are likewise owned and controlled by the CIIF;

WHEREAS, the CIIF Holding Companies have been sequestered by the Presidential Commission on Good Government (“PCGG”) by virtue of Executive Order Nos. 1,2,14 and 14-A;

WHEREAS, by reason of the sequestration of businesses established and the assets and properties acquired through the use of the coconut levy funds, including the CIIF SMC Shares, such businesses, property and assets and the CIIF SMC Shares have not been utilized for the benefit of their intended beneficiaries;

WHEREAS, the issue of the ownership of the coconut levy funds, as well as the businesses and assets established therewith, including the CIIF SMC Shares, is presently pending before the Sandiganbayan in Civil Case No. 0033, entitled "Republic of the Philippines vs. Eduardo Cojuangco, Jr., et al.";

WHEREAS, the Supreme Court had declared in G.R. No. 75713 that:

"The utilization and proper management of the coconut levy funds, raised as they were by the State's police and taxing powers, are certainly the concern of the Government. It cannot be denied that it was the welfare of the entire nation that provided the prime moving factor for the imposition of the levy. It cannot be denied that the coconut industry is one of the major industries supporting the national economy. It is, therefore, the State's concern to make it a strong and secure source not only of the livelihood of a significant segment of the population but also of export earnings the sustained growth of which is one of the imperatives of economic stability. The coconut levy funds are clearly affected with public interest." (Philippine Coconut Producers Federation Inc. (COCOFED), et al. vs. Presidential Commission on Good Government (PCGG), et al., G.R. No. 75713, October 2, 1989, 178 SCRA 236, 252-253).

WHEREAS, the Supreme Court, in a Resolution issued on December 13, 1994 in G.R. No. 96073, entitled "Republic vs. Sandiganbayan (First Division), et al." resolved "to DENY the Solicitor General's (a) Urgent Motion to Resolve Legal Question on the Character of the Coconut Levy Funds and to Declare as Unconstitutional Section 5, Article III of P.D. 1468 filed in behalf of the PCGG. Further, in its resolution of March 26, 1996 in the same case, the Supreme Court, in considering the motion for

reconsideration filed by the Solicitor General, resolved “to DENY the Solicitor General’s prayer to (a) declare the coconut levies collected pursuant to various issuances as public funds; (b) declare unconstitutional Section 5, Article III of P.D. 1468.”;

WHEREAS, the delay in the resolution of the aforesaid issues relating to the nature and ownership of the CIIF Investments has been inimical to the coconut industry and the coconut farmers;

WHEREAS, to immediately address the problems besetting the coconut industry and alleviate the socio-economic well-being of the coconut farmers, the rationalization of the use and disposition of the coconut levy funds, including the CIIF SMC Shares, through the creation and establishment of a permanent trust fund to finance various programs of assistance to the coconut farmers and the coconut industry would effectively prevent further deterioration of the coconut industry and, at the same time, provide relief to the continuing hardships experienced by the coconut farmers;

NOW, THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Republic of the Philippines, by virtue of the powers vested in me by law, hereby direct and order, as follows:

SECTION 1. *Creation of the Coconut Trust Fund.* There is hereby created an irrevocable trust fund, to be known as the Coconut Trust Fund (hereinafter referred to as the “Trust Fund”), which shall be capitalized, managed, utilized and accounted for in the manner hereinafter provided.

SEC. 2. *Purpose of the Fund.* The Fund shall be established for the purpose of financing programs of assistance for the benefit of the coconut farmers, the coconut industry, and other agri-related programs intended to maximize food productivity, develop business opportunities in the countryside, provide livelihood alternatives, and promote anti-poverty programs.

SEC. 3. *Capitalization of the Trust Fund.* The CIIF SMC Shares, consisting of approximately 27% of the outstanding capital

stock of SMC, shall form the initial capital of the Trust Fund. For this purpose, the CIIF Holding Companies, acting through the Administrator of the coconut levy funds, shall convey the CIIF SMC Shares to the Trustee as provided in Section 4 hereof, under such terms and conditions not inconsistent with the Executive Order. The CIIF Holding Companies, acting through the Administrator of the coconut levy funds, shall sign, execute and deliver such documents, deeds or contract, not inconsistent with this Executive Order, as may be necessary or desirable to implement the provisions of this Executive Order. Nothing in this Executive Order shall be understood to prevent or prohibit any person, group or entity from conveying to the Trustee any other additional properties and/or assets, which shall form part of the Trust Fund.

In order to insure the enduring character of the Fund, the principal thereof shall be maintained intact but may be augmented from time to time by grants, donations and other lawful transfers by public or private entity, the disposition of the income of which shall be governed by the terms and conditions hereinafter specified, as well as the rules and regulations promulgated by the Coconut Trust Fund Committee created pursuant to Section 6 hereof:

(a) The Trust Fund shall be perpetually maintained and preserved to ensure the full implementation and realization of the objectives identified and sought to be attained under this Executive Order;

(b) In the event that the Trust Fund (or any portion thereof, as the case may be) is subsequently sold, alienated or disposed of, the proceeds and revenues arising out of and realized from such sale, alienation or disposition:

(i) shall be, to the extent established by the Coconut Trust Fund Committee, used to settle in full any outstanding liability or obligation of the Trust Fund due in favor of creditors; and

(ii) after the settlement of obligations specified in the immediately preceding paragraph, the remaining balance of such

proceeds and revenues shall automatically form part of the Trust Fund which remains under the exclusive management of the Coconut Trust Fund Committee;

(c) Only the income, interest earnings, and monetary benefits realized by and accruing on the Trust Fund shall be used and disposed of by the Coconut Trust Fund Committee for such purposes and endeavors specified under the provision of this Executive Order (such income, interest earnings and monetary benefits shall be referred to as the “Trust Income”).

The Trust Fund shall be managed and administered so as to maximize its earnings in a prudent manner consistent with its character as a perpetual trust.

SEC. 4. *Designation of Trustee Bank.* The United Coconut Planters Bank (UCPB), through its Trust Department, is hereby designated as the Trustee Bank of the Trust Fund and shall: (i) manage, utilize and account for the Trust Fund in the manner hereinafter provided and (ii) exercise the tasks, functions and duties determined and established by the Coconut Trust Fund Committee created under the provisions of this Executive Order, to the extent allowed under applicable laws.

SEC. 5. *Extent of the Trust Fund.* The Trust Fund shall be composed of the following:

(a) the CIIF SMC Shares consisting of approximately 27% of the outstanding capital stock of SMC; and

(b) such other properties and/or assets, intended for the purposes herein stated, and conveyed or transferred to the Trustee in accordance with this Executive Order.

SEC. 6. *Creation of the Coconut Trust Fund Committee.* A Committee is hereby created to administer, manage and supervise the operations of the Trust Fund, chaired by the President with ten (10) members, as follows:

(a) four (4) representatives from the government sector, two of whom shall be the Secretary of Agriculture and the Secretary of Agrarian Reform who shall act as Vice Chairmen;

(b) four (4) representatives from coconut farmers' organizations, one of whom shall come from a list of nominees from the Philippine Coconut Producers Federation Inc. ("COCOFED");

(c) a representative from the CIIF; and

(d) a representative from a non-government organization (NGO) involved in agricultural and rural development.

All decisions of the Coconut Trust Fund Committee shall be determined by a majority vote of all the members.

The Coconut Trust Fund Committee shall perform the functions and duties set forth in Section 7 hereof, with the skill, care, prudence and diligence necessary under the circumstances then prevailing that a prudent man acting in like capacity would exercise.

The members of the Coconut Trust Fund Committee shall be appointed by the President and shall hold office at his pleasure.

The Coconut Trust Fund Committee is authorized to hire administrative, technical and/or support staff as may be required to enable it to effectively perform its functions and responsibilities.

SEC. 7. Functions and Responsibilities of the Committee. The Coconut Trust Fund Committee shall have the following functions and responsibilities:

(a) set the investment policy of the Trust Fund;

(b) establish priorities for assistance giving preference to small coconut farmers and farmworkers which shall be reviewed

periodically and revised as necessary in accordance with changing conditions;

(c) receive, process and approve project proposals for financing by the Trust Fund;

(d) decide on the use of the Trust Fund's income or net earnings including final action on applications for assistance, grants and/or loans;

(e) avail of professional counsel and services by retaining an investment and financial manager, if desired;

(f) formulate the rules and regulations governing the allocation, utilization and disbursement of the Fund; and

(g) perform such other acts and things as may be necessary proper or conducive to attain the purposes of the Fund.

SEC. 8. *Non-impairment of Trust Fund.* In order to ensure its enduring character, it is hereby declared and ordered that the Trust Fund shall be operated strictly as a capital fund for investment and re-investment, and that it shall be maintained intact with only the Trust Income, being authorized to be utilized for financing programs of assistance as provided in Section 9 hereof.

SEC. 9. *Use and Disposition of the Trust Income.* The Coconut Trust Fund Committee, on an annual basis, shall determine and establish the amount comprising the Trust Income. After such determination, the Committee shall earmark, allocate and disburse the Trust Income for the following purposes, namely:

(a) Not more than three percent (3%) of the Trust Income shall be used to defray the direct and validated costs and expenses incurred for the maintenance, administration and preservation of the Trust Fund, inclusive of the mandatory supervision fees and charges, if any, imposed by the Bangko Sentral ng Pilipinas;

(b) Twenty percent (20%) of the Trust Income shall be allocated and disbursed to the Philippines Coconut Producers Federation, Inc. (COCOFED) under the relevant provisions of existing statutes, rules and regulations;

(c) Thirty percent (30%) of the Trust Income shall be disbursed to other existing coconut farmers' organizations, associations and federations such as the Pambansang Koalisyon ng mga Samahang Magsasaka at Manggagawa sa Niyugan (PKSMMN), Coconut Industry Reform Movement (COIR), National Federation of Small Coconut Farmers Organizations (NFSCFO), Nagkakaisang Ugnayan ng Maliliit na Magsasaka at Manggagawa sa Niyugan (NIUGAN), and those which may be determined by the Coconut Trust Fund Committee, for the purpose of providing an immediate source of funds to finance socio-economic programs and endeavors for the benefit of their members consistent with the guidelines set forth in Section 10 hereof;

(d) Thirty percent (30%) of the Trust Income shall be used to assist and fund agriculturally-related programs for the Government, as reasonably determined by the Trust Fund Committee, implemented for the purpose of: (i) maximizing food productivity in the agriculture areas of the country, (ii) enhancing the upliftment and well-being of the living conditions of farmers and agricultural workers, (iii) developing viable industries and business opportunities in the countryside, (iv) providing alternative means of livelihood to the direct dependents of agriculture businesses and enterprises, and (v) providing financial assistance and support to coconut farmers in times of economic hardship due to extremely low prices of copra and other coconut products, natural calamities, world market dislocation and similar occurrences, including financial support to the ERAP's Sagip Niyugan Program established under Executive Order No. 312 dated November 3, 2000; and

(e) The remaining balance of the Trust Income shall revert to the Trust Fund.

The aforesaid releases and disbursements shall be in accordance with the rules and regulations formulated by the Coconut Trust Fund Committee.

SEC. 10. *Guidelines for Trustee Decisions.* In arriving at decisions on project applications for financial assistance, grants, loans or other forms of financing from the Trust Fund, the Coconut Trust Fund Committee shall be guided by the following considerations:

(a) the project's relations and impact to the development and improvement of the coconut industry in relation to the government's agriculturally-related programs, food productivity, livelihood and anti-poverty programs;

(b) the amounts of funds requested for the project as consistent with the fund assistance to as many institutions and/or associations as possible; and

(c) an assessment of the institution's or association's past and current efforts to improve the quality of life of the coconut farmers and the development of the coconut industry and agriculture in the Philippines.

SEC. 11. *Cooperation with the Committee.* The Coconut Trust Fund Committee may call upon any department, bureau, office, agency or instrumentality of the Government of the Republic of the Philippines, including government-owned and controlled corporations, for such assistance as it may desire and need in pursuit of the purposes and objectives of the Trust Fund in the discharge of its functions and responsibilities.

SEC. 12. *Meetings and Annual Report and Compensation.* The Coconut Trust Fund Committee shall meet at such time as may be determined by the Chairman and shall render to the President an annual report of its activities. The members of the Coconut Trust Fund Committee shall receive such compensation, allowances and per diems as may be approved by the President of the Philippines.

SEC. 13. *Accounting.* The Coconut Trust Fund Committee shall maintain appropriate records and accounts of all investments, receipts, disbursements and other transactions relating to the management, administration and disposition of the Trust Fund and Trust Income.

The Fund shall be audited annually or as often as necessary by an external auditor designated by the Committee. The Committee may also request the Commission on Audit to conduct an audit of the Fund.

SEC. 14. *Implementation.* The Presidential Commission on Good Government, the Office of the Solicitor General and other appropriate government instrumentality are hereby directed to exclude the 27% CIIF SMC shares from Civil Case No. 0033 entitled “Republic of the Philippines vs. Eduardo Cojuangco Jr. et al.” pending before the Sandiganbayan, lift the sequestration over such shares, and take all the necessary steps to implement the purposes and objectives of this Executive Order.

SEC. 15. *Repealing Clause.* This Order repeals Executive Order Nos. 481 and 277 dated May 1, 1998 and September 24, 1995, respectively.

SEC. 16. *Effectivity Clause.* This Order shall take effect immediately.

DONE in the City of Manila, this 8th day of Nov. in the year of Our Lord, Two Thousand.

(Sgd.) JOSEPH EJERCITO ESTRADA
President of the Philippines

By the President:

(Sgd.) RONALDO B. ZAMORA
Executive Secretary

EO 313 s. 2000 repealed EO 277 s. 1995.
EO 313 s. 2000 repealed EO 481 s. 1998.

MALACAÑANG
RESIDENCE OF THE PRESIDENT
OF THE PHILIPPINES
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 347, s. 1971

PROVIDING FOR THE ORGANIZATION OF THE DEPARTMENT
OF AGRARIAN REFORM

Pursuant to the powers vested in me by Section Fifteen of Republic Act Number Six Thousand Three Hundred and Eighty-nine, and upon the recommendation of the Special Technical Committee created under Special Order Numbered Eleven, Series of Nineteen Hundred and Seventy-One, of the Land Reform Project Administration, and the Commission on Reorganization created pursuant to Republic Act Numbered Five Thousand Four Hundred and Thirty-five, as amended, the following are hereby promulgated to govern the organization and functions of the Department of Agrarian Reform:

ORGANIZATION OF THE DEPARTMENT OF AGRARIAN
REFORM

SECTION 1. The organization and function of the Department of Agrarian Reform hereinafter referred to as the “Department,” shall be in accordance with the provisions of Republic Act No. 6389 and this Executive Order.

SEC. 2. The organization of the Department graphically depicted in the following organization chart, shall consist of the Office of the Secretary (or Department proper) composed of the immediate Office of the Secretary, the Planning Service, the Financial and Management Service, the Administrative Service and the Agrarian Reform Education Service; the Bureau of Agrarian Legal Assistance; the Bureau of Land Acquisition, Distribution and Development; the

Bureau of Resettlement; the Bureau of Farm Management; and such number of Regional Offices as the exigencies of the Agrarian Reform Program may require.

RELATIONSHIPS BETWEEN THE DEPARTMENT PROPER,
BUREAUS AND FIELD OFFICES

SEC. 3. The Department proper, through the Office of the Secretary, shall have direct line supervision over the bureaus and regional offices. It shall have responsibility for overseeing field operations to insure the judicious and effective implementation of the agrarian reform programs as initially drawn up by the bureaus along their respective areas of expertise. It shall constantly draw from the bureaus such advice and assistance as may be necessary to successfully achieve the goals and objectives of the Agrarian reform program.

SEC. 4. The bureaus of the Department shall be essentially staff in character and as such shall exercise functional supervision over the regional and other field offices. They shall be primarily involved in the development of plans and programs within their respective functional specialization and shall likewise develop related policies, guidelines and standards necessary in guiding the regional and field offices in the proper implementation of such plans and programs. Where necessary and as a means of assisting the Department proper in properly delineating the methods and plans of operation at the field level, they shall maintain dialogue and contact with the regional and other field offices for the purpose of updating established plans and programs and determining problems arising therefrom.

SEC. 5. The regional and other field offices shall constitute the operating arms of the Department with responsibility for directly implementing the plans and programs drawn up by the staff bureaus and assigned by the Department Secretary in accordance with duly adopted policies, standards and guidelines. They shall be organized as miniature counterparts of the Department in the region and shall be vested with sufficient authority to undertake departmental

operations within their respective jurisdictions. In the exercise of such authority they shall be directly responsible to the Secretary and shall receive proper technical guidance from the staff bureaus.

FUNCTIONAL STATEMENTS OF THE DEPARTMENT OF
AGRARIAN REFORM

SEC. 6. In conformity with the above set of functional relationships, the functions, powers, duties and responsibilities of the various units of the Department shall be as follows:

OFFICE OF THE SECRETARY

SEC. 7. The Office of the Secretary shall consist of the Secretary of Agrarian Reform, the Undersecretary of Agrarian Reform and the personnel in their immediate office. It shall be responsible for the adoption and promulgation of rules and regulations necessary to carry out departmental policies and objectives, and for exercising general supervision and control over the bureaus and offices of the Department.

Functions of the Secretary

SEC. 7.1. The functions of the Secretary shall be as follows:

1. Advise the President in the promulgation of executive orders, regulations and decrees relative to matters under the jurisdiction of the Department;
2. Establish the policies and standards for the operation of the Department pursuant to the President's program of government;
3. Promulgate rules and regulations necessary to carry out Department objectives, policies and functions;
4. Exercise supervision and control over all bureaus and offices under the Department;

5. Delegate authority for the performance of any function to officers and employees under his direction; and

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

Functions of the Undersecretary

SEC. 7.2. The functions of the Undersecretary shall be as follows:

1. Advise and assist the Secretary in the formulation and implementation of Department objectives and policies;

2. Oversee all the operational activities of the Department for which he shall be responsible to the Secretary;

3. Coordinate the program and projects of the Department, and be responsible for its economical, efficient and effective administration;

4. Serve as deputy to the Secretary in all matters relating to the operations of the Department; and

5. Perform such other functions as may be provided by law or assigned by the Secretary.

FUNCTIONS OF THE PLANNING SERVICE

SEC. 8. The Planning Service shall be responsible for providing the Department with economical, efficient, and effective services relating to planning, programming and project development. It shall have the following functions, among others:

1. Formulate long-range and annual plans and programs for the Department and for this purpose coordinate and provide support to the planning and programming of the bureaus and regional

offices under the Department as well as review and integrate their proposals into a consistent set of objectives;

2. Formulate basic policies and guidelines for the preparation of the departmental budget, including those for the detailed allocation of funds for capital outlays, and coordinate with the Budget Division in the preparation of the Department Budget;

3. Formulate criteria for determining priorities for proposed projects; and accordingly select capital projects for funding and execution including appropriate financing schemes;

4. Undertake such re-programming as necessary in accordance with actual resources made available, including the determination of cut-backs and/or projects to be included from unprogrammed to programmed category;

5. Initiate and/or provide support for the development of projects by the various bureaus of the Department in accordance with approved priority areas, and where necessary, undertake major project development activities in coordination with the bureaus concerned;

6. Evaluate projects proposed by units of the Department according to technical and economic feasibility and prescribed standards;

7. Develop and effect in collaboration with the bureaus a system for the effective coordination, follow-up, review and evaluation of the progress of the implementation of approved projects and programs against set standards, objectives and schedules;

8. Conduct economic research and studies relative to agrarian reform for purposes of formulation of policy proposals and general economic guidelines;

9. Undertake continuing analysis of economic conditions and trends, including the periodic review of the situation and outlook of the agricultural economy relating to agrarian reform;

10. Compile, analyze and integrate statistical data, including operational statistics;

11. Develop projections, forecasts, and prepare economic reports and reviews;

12. Prepare the Annual Report and other periodic reports of the Department;

13. Maintain liaison with the central planning agency and other appropriate economic or planning bodies; and

14. Perform such other functions as may be assigned.

FUNCTIONS OF THE FINANCIAL AND MANAGEMENT SERVICE

SEC. 9. The Financial and Management Service shall be responsible for providing the Department with staff advice and assistance on budgetary, financial and management improvement matters. It shall have the following divisions with respective duties and responsibilities, as follows:

Functions of the Budget Division

SEC. 9.1. The Budget Division shall have the following functions, among others:

a. Prepare the departmental budget and assist management in the presentation of the Department's budgetary estimates before administrative and legislative bodies;

b. Provide, subject to budgetary ceilings, fund estimates in support of the Department's operations, plans and programs;

c. Allocate, in coordination with the Planning Service, available funds to programs on the basis of approved guidelines and priorities;

d. Issue allotment advice to the Regional Offices in support of the fund requirement for the conduct of the operations of the regions under each program;

e. Undertake all operations relative to budget execution and control;

f. Develop and improve budgetary methods, procedures, and justifications;

g. Review performance reports to determine conformance with set standards;

h. Prepare financial reports for management guidance and as required by higher authorities; and

i. Perform such other functions as may be assigned.

Functions of the Accounting Division

SEC. 9.2. The Accounting Division shall have the following functions, among others:

a. Advise management on financial matters;

b. Prepare and submit financial reports to management and other government departments and agencies authorized to receive such reports;

c. Maintain basic and subsidiary accounting records and books of accounts to reflect accurately and currently financial information required by existing auditing rules and regulations and by management;

d. Certify to the availability of funds, obligate funds and issue Treasury Warrants to liquidate obligations;

e. Process requisitions, vouchers and reports of collections and disbursements;

f. Prepare billings to debtors of the Department;

g. Undertake cost accounting work through the classification, recording, allocation, summarization and reporting of current and prospective costs, including the determination of costs of operations by such units of work measurement as by departments, by functions, by periods of time, by projects and similar categories;

h. Provide standards and guidelines to the regional and field units of the Department; and

i. Perform such other functions as may be assigned.

Functions of the Management Division

SEC. 9.3. The Management Division shall have the following functions, among others:

a. Develop, plan and program objectives relative to management improvement in the Department;

b. Examine the administrative organizations of the Department and make recommendations for improvement;

c. Maintain and update the Department's organization and functional manuals;

d. Undertake regular management surveys or organizational structure, manpower and operations; study special problems as assigned; review existing methods, procedures and systems; and make recommendations for improvement;

e. Develop new and improved management systems; exercise staff supervision over the implementation of such improvements; and provide training in the use of the system;

f. Develop staffing standards and manpower requirements for the Department;

g. Assist in the evaluation of proposed projects for operational feasibility and develop operating procedures and schemes for the implementation of approved projects and programs;

h. Provide guidelines and technical assistance to the regional offices; and

i. Perform such other functions as may be assigned.

FUNCTIONS OF THE ADMINISTRATIVE SERVICE

SEC. 10. The Administrative Service shall be responsible for providing the Department with economical, efficient and effective services relating personnel, legal assistance, information, records, supplies, equipment, collection, disbursements, security and custodial work.

There shall be in the immediate office of the Chief of the Administrative Service a Medical and Dental Clinic which shall be responsible for providing medical and dental services to the personnel of the Department pursuant to the provisions of Republic Act No. 1054.

The Service shall also have the following divisions with respective duties and responsibilities, as follows:

Functions of the Personnel Division

SEC. 10.1. The Personnel Division shall have the following functions, among others:

- a. Advise management on personnel policy and administration;
- b. Develop and administer a personnel program for the Department proper and the bureaus under it which shall include selection and placement, promotion, classification and pay, career and employment development, performance rating, employee relations and welfare services;
- c. Develop policy standards and guidelines on personnel management for the implementation of the regional offices of the Department;
- d. Take charge of the preparation, conduct and administration of civil service examinations of the Department;
- e. Process and act on all matters concerning appointments, promotions, transfers, leaves of absence, attendance and other personnel transactions for the personnel of the central office and the regional offices as are applicable;
- f. Maintain personnel records and statistics; and
- g. Perform such other functions as may be assigned.

Functions of the Information Division

SEC. 10.2. The Information Division shall have the following functions, among others:

- a. Develop programs to have the policies, plans and activities of the Department properly understood by the public;
- b. Produce and disseminate media materials to implement the information program of the Department;
- c. Service the needs of the Department and its bureaus in the production and publication of reports, information materials and literature;

d. Coordinate with the Public Information Office in the Office of the President; and

e. Perform such other functions as may be assigned.

Functions of the General Services Division

SEC. 10.3. The General Services Division shall have the following functions, among others:

a. Provide policy guidance on the maintenance and disposition of records and on the procurement and storage of supplies in accordance with government prescribed standards, including standards and guidelines to the Regional Offices;

b. File and maintain necessary records and establish a records disposition program for the department;

c. Prepare certified true copies of documents found in the records when officially requested or ordered;

d. Take charge of receiving, sorting and recording all incoming correspondence and recording and mailing of outgoing correspondence;

e. Provide transportation, communications, custodial and general utility services for the Department;

f. Procure, store and distribute supplies and equipment of the Department, and conduct periodic inventories of the same;

g. Provide messengerial and duplicating services;

h. Receive, collect and deposit cash and pay approved payrolls and vouchers; and

i. Perform such other functions as may be assigned.

FUNCTIONS OF THE AGRARIAN REFORM EDUCATION SERVICE

SEC. 11. The Agrarian Reform Education Service shall be responsible for the development and coordination of the training programs for the Department. It shall have the following functions, among others:

1. Prepare and conduct training programs in the Department as necessary, including the evaluation thereof;

2. Provide policy guidance and develop plans and programs for effective and continuing educational activities through personnel training and clientele development;

3. Coordinate and evaluate the training programs and activities undertaken by the regional offices and other units of the Department;

4. Coordinate with educational institutions, public and private, in matters of personnel training and farmer education;

5. Take charge of the administration of grants-in-aid and technical assistance programs for agrarian reform education, both foreign or local, including the coordination of training and education projects funded from such aid or assistance; and

6. Perform such other functions as may be assigned.

FUNCTIONS OF THE BUREAU OF AGRARIAN LEGAL ASSISTANCE

SEC. 12. The Bureau of Agrarian Legal Assistance shall be responsible for the development of plans and programs on the extension of legal information to farmers, including share-tenants, agricultural lessees, owner-cultivators, agricultural farm workers and members of their immediate farm household; the extension of legal services to them; and the execution of leasehold contracts.

The Bureau shall likewise be responsible for providing advice and assistance to the Office of the Secretary and to the regional offices on matters pertaining to agrarian legal assistance, for coordinating with the Office of Agrarian Counsel and the Agricultural Tenancy Commission in the implementation of the Bureau's functions; and for other functions as may be provided by law.

The Bureau shall have the following divisions with corresponding duties and responsibilities as follows:

Functions of the Judicial Cases Division

SEC. 12.1. The Judicial Cases Division which shall have the following functions, among others:

a. Evolve a program for servicing the judicial requirements of farmers and beneficiaries, including expropriation proceedings, pre-emption and redemption, and in all Civil and/or criminal cases arising from or connected with the results or effects of an agrarian dispute;

b. Prescribe guidelines for the effective institution of judicial proceedings on behalf of farmers and beneficiaries;

c. Prescribe measures for the expeditious land registration proceedings and petitions for approval of subdivisions surveys;

d. Take charge of all judicial cases affecting farmers and beneficiaries of agrarian reform elevated to courts of appellate jurisdiction;

e. Take charge of judicial cases in which the Department is a party in interest;

f. Conduct a continuing evaluation of the handling and management of judicial cases of the department; and

g. Perform such other functions as may be assigned from time to time.

Functions of the Claims and Conflicts Division

SEC. 12.2. The Claims and Conflicts Division which shall have the following functions, among others:

a. Evolve program for extending legal assistance to farmers and beneficiaries in quasi-judicial castes and in the effective adjudication of conflicts involving land boundaries or preference rights in landed estates and public land reservations of the Department among farmers and beneficiaries themselves or with other parties;

b. Provide guidelines for the expeditious investigation and hearing of conflicts of claims among farmers and beneficiaries;

c. Review recommendations on the adjudication of cases arising from conflicting claims of farmers and beneficiaries;

d. Provide and maintain a docket of cases on claims and conflicts and issue clearances in relation thereto;

e. Conduct continuing evaluation of the claims and conflicts adjudication program of the Department; and

f. Perform such other functions as may be assigned from time to time.

Function of the Legal Information and Mediation Division

SEC. 12.3. The Legal Information and Mediation Division which shall have the following functions, among others:

a. Develop a legal information program to inform farmers and landowners under the agrarian reform program of their rights and

obligations under the Agricultural Land Reform Code, including the holding of rallies, conferences and similar activities and the dissemination of publications;

b. Develop standards, guidelines and procedures for field legal officers in the extension of legal services relative to the fixing of rentals and settlement of differences arising from tenancy relationship, preparation of leasehold contracts and other pertinent documents, and the exercise of the right of expropriation, pre-emption and redemption;

c. Study and recommend the participation of local governments in the determination of solutions to legal problems that may arise in their respective jurisdictions;

d. Prepare legal information materials for publication and dissemination;

e. Conduct periodic evaluation of legal information and mediation program of the Department; and

f. Perform such other functions as may be assigned from time to time.

FUNCTIONS OF THE BUREAU OF LAND ACQUISITION, DISTRIBUTION AND DEVELOPMENT

SEC. 13. The Bureau of Land Acquisition, Distribution and Development shall be responsible for the development of plans, programs, and policies relative to the acquisition of both public and private agricultural lands, their distribution and development, and all land surveys, including land capability and classification survey.

The Bureau shall likewise provide advice and assistance to the Office of the Secretary on matters pertaining to land acquisition, distribution and development of lands acquired by the Department and on land surveys, land capability and classification survey, consultative and advisory services to the regional offices of the

Department; coordinate with the Land Bank, Bureau of Forestry, Bureau of Lands, Land Registration Commission and other agencies with related activities in the implementation of the bureau's functions, and perform such other functions as may be provided by law.

The Bureau shall have the following divisions with corresponding duties and responsibilities as follows:

Functions of the Land Acquisition Division

SEC. 13.1. The Land Acquisition Division shall have the following functions, among others:

a. Provide guidelines and policies in the acquisition of private and public agricultural land, including measures to insure that all agricultural lands, either public and private, distributed by the government to the beneficiaries of the agrarian reform program shall be sold only by said beneficiaries to the government;

b. Develop the program for acquiring agricultural lands for the Department through negotiated purchase, expropriation, opening of public lands reserved for settlements and land reclamation;

c. Design socio-economic survey plans and prescribe guidelines and procedures in the conduct of such surveys in areas sought to be purchased, expropriated, opened for settlement or reclaimed, and in areas involved in petitions or applications for the exercise of the right of pre-emption and redemption;

d. Establish a mechanism within the Department by which all the data obtained from such surveys are submitted to the division for analysis and formulation of policies and recommendations;

e. Make recommendations regarding the acquisition of agricultural lands based on an order of priority; and

f. Maintain records of all lands acquired and proposed to be acquired by the Department.

Functions of the Land Distribution Division

SEC. 13.2. The Land Distribution Division which shall have the following functions, among others:

a. Provide general policies and guidelines in the distribution of all agricultural lands acquired by the Department;

b. Develop a land distribution program which shall set aside areas for economic family-size farms, large-scale farm operations, town sites, roads, parks, government centers, and other community facilities;

c. Prescribe guidelines and procedures for preliminary screening of farmer-applicants for economic family-size farm in landed estates, and for the purchase of public agricultural lands acquired by the Department;

d. Select farmer-applicants in accordance with a schedule of priorities in the allocation of large areas for large-scale farming and of economic family-size farms;

e. Prescribe guidelines and procedures for the preliminary processing of applications of beneficiaries for authority to sell, lease, transfer or mortgage lots awarded to them by the Department, and approve or disapprove such applications;

f. Provide policies and guidelines that will facilitate the issuance of titles to persons who have actually settled and cultivated disposable lands of the public domain; and

g. Install and maintain a system of records keeping of all lands allocated by the Department, including those sold or leased by the Department for and in behalf of the Land Bank.

Functions of the Land Surveys Division

SEC. 13.3. The Land Surveys Division which shall perform the following functions, among others:

a. Draw up plans and programs of land surveys and determine which land surveys projects can be done by administration or by contract;

b. Prepare estimates, specifications and schedules of public biddings for survey projects; prescribe standards and guidelines in evaluating bids and proposals; and recommend awards of contracts;

c. Develop and prescribe procedures and techniques on land surveys in accordance with standards established by the Bureau of Lands;

d. Evaluate and compute survey notes from survey teams and prepare survey plans for submittal to the Bureau of Lands or Land Registration Commission;

e. Provide technical assistance and supervision on the implementation of all survey projects including the assignment, when necessary, of field survey personnel to augment transit parties in the regions; and

f. Maintain records of all land surveys made either by administration or by contract.

Functions of the Land Capability and Classification Survey Division

SEC. 13.4. The Land Capability and Classification Survey Division shall perform the following functions among, others:

a. Draw up plans and programs for complete aerial photogrammetry of the entire country, including photogrammetry

research and training of personnel and provision of facilities for photogrammetry work;

b. Supervise and inspect aerial photography, stereo-compilation and photo-analysis;

c. Gather, compile and furnish necessary stereoscope analysis of aerial photographs for land use capability survey and classification, forest and mineral inventory, agricultural economics, land tax, mapping and other purposes, and furnish government agencies with aerial photograph dispositives;

d. Establish horizontal and vertical control and signalization of control stations and corners; lot sketching for provisional cadastre with the use of aerial photographs or to verify if executed by contractors;

e. Develop the plans and programs and provide guidelines, procedures and techniques for all soil surveys and classification;

f. Analyze and compile soil data and survey reports for the production of soil maps and for publication;

g. Specify areas of soil research; provide technical supervision to field personnel engaged in soil work; and classify soils according to types and capabilities;

h. Develop land use patterns for implementation by extension workers in agrarian reform areas; and

i. Produce and compile adequate maps necessary for proper planning and implementation of the agrarian reform program.

FUNCTIONS OF THE BUREAU OF RESETTLEMENT

Sec. 14. The Bureau of Resettlement shall be responsible for the development of plans, programs, and policies for the resettlement of displaced farmers, landless families and urban workers in the

settlement projects of the Department pursuant to Republic Act No. 6389; the management of settlements under the administration of the Department; and the census of proclaimed and unproclaimed settlements.

The Bureau shall likewise provide advice and assistance to the Office of the Secretary on resettlement; consultative and advisory services to the regional offices of the Department; coordinate with the Bureau of Forestry, Bureau of Lands, Agricultural Productivity Commission and other agencies with related activities in the implementation of the bureau's functions; and perform such other functions as may be provided by law.

The Bureau shall have the following divisions with corresponding duties and responsibilities as follows:

Functions of the Census and Statistics Division

Sec. 14.1. The Census and Statistics Division shall have the following functions, among others:

a. Plan and prepare the program for the census of proclaimed and unproclaimed settlements, including those voluntarily initiated by farmers on public lands, forest lands, titled private and public lands, and settlements administered by the Department;

b. Design census survey plans and forms to be used; specify data to be gathered; and prescribe guidelines, procedures and techniques in census taking;

c. Devise a system of data retrieval to facilitate gathering, analysis and compilation of statistics obtained through census surveys; and

d. Assist the Planning Service and other bureaus of the Department in the collection of other data needed in the development of programs and the evaluation of project implementation.

Functions of the Settlers' Affairs Division

SEC. 14.2. The Settlers' Affairs Division shall have the following functions, among Others:

a. Plan and develop the program for resettlement of displaced farmers, landless families and urban workers in the settlement projects of the Department pursuant to Republic Act 6389 and provide the necessary guidelines and standards in the administration of settlements;

b. Formulate and prescribe guidelines, procedures and other requirements in the preliminary screening of settler-applicants;

c. Select settler-applicants for resettlement in accordance with an established order of priority and coordinate with the regional offices concerned with regard to the movement of settlers to settlement areas;

d. Provide guidelines and procedures in the allocation of home and farm lots in the settlements and recommend approval of awards;

e. Conduct a continuing study of problems in the settlements and landed estates acquired by the Department as a means of determining the types of assistance needed by the farmer-settlers, especially with regard to housing problems, welfare services, agricultural production, marketing of produce, peace and order, conflicting land claims and protection of the rights of farmer-settlers;

f. Develop a grants-in-aid program to accelerate the socio-economic development of settlements and landed estate communities through self-help among the farmer-settlers;

g. Provide policies and guidelines in the administration of the grants-in-aid program and in the provision of other forms of assistance;

h. Undertake evaluation of the assistance programs to determine their effectiveness in terms of their socio-economic effects on individual farmers and with the end in view of making the necessary adjustments in the assistance programs.

Functions of the Engineering Division

SEC. 14.3. The Engineering Division shall have the following functions, among others:

a. Develop the program on the construction of infrastructure facilities in the settlements and landed estates in close coordination with the Settlers' Affairs Division to dovetail it to the grants-in-aid program;

b. Establish a schedule of priorities in the construction of houses, waterworks, irrigation system and other community facilities taking into account the immediate needs of the settlement communities;

c. Prepare the blueprints and other plans and render technical assistance to and supervise field personnel in the implementation of construction projects;

d. Determine assignment of field engineering personnel to construction projects in agrarian reform areas;

e. Provide guidelines in the maintenance of settlement facilities and in land clearing activities; and

f. Prepare specifications, estimates and schedules for public bidding of construction projects, and equipment; recommend awards and enforce terms of contracts.

Functions of the Special Projects Division

SEC. 14.4. The Special Projects Division shall have the following functions, among others:

a. Conduct feasibility studies on the establishment and operation of communal farms patterned after the moshav type of agricultural cooperatives and assist in the implementation of these projects;

b. Plan and develop joint special projects and coordinate with, and provide technical assistance to the private sector in the implementation of these projects; and

c. Develop a program of land consolidation in the settlements to improve land structure, methods of farming and increase productive areas.

FUNCTIONS OF THE BUREAU OF FARM MANAGEMENT

SEC. 15. The Bureau of Farm Management shall be responsible for the development of plans, programs and policies for the diffusion of useful and practical information, knowledge and skills on agriculture, soil conservation, livestock, fisheries, forest conservation, public lands and natural resources laws, home economics and rural life to encourage their application.

It shall develop plans and programs to promote, stimulate and encourage the formation and growth of agricultural cooperatives and other associations, including study clubs, committees and farmers and homemakers' associations through which social and economic conditions in the rural areas may be enhanced.

The plans and programs of the Bureau for agricultural extension and related activities shall be primarily oriented towards providing services to the farmers and beneficiaries directly affected by the agrarian reform program.

The Bureau shall provide advice and assistance to the Office of the Secretary and to the regional offices on matters pertaining to agricultural extension, coordinate and establish close working

relationships to avoid duplication of activities with the Department of Agriculture and Natural Resources, the Agricultural Productivity Commission and the Agricultural Credit Administration in the performance of its functions and perform such other functions as may be provided by law.

The Bureau shall have the following divisions with corresponding duties and responsibilities, as follows:

Functions of the Agricultural Development Division

SEC. 15.1. The Agricultural Development Division shall have the following functions, among others:

a. Develop a program for increased farm production among the farmers and beneficiaries directly affected by the agrarian reform program;

b. Formulate standards and guidelines for the establishment by farm management technologists of work programs in the implementation of supervised credit;

c. Prescribe effective measures for the improvement of crop production through the utilization of approved farm extension methods and practices;

d. Plan and program the establishment of nurseries and demonstration farms;

e. Work out arrangements whereby the Department's extension workers may avail of the services and facilities of the personnel and experiment stations of the Department of Agriculture and Natural Resources and the Agricultural Productivity Commission;

f. Develop agricultural and allied information on improved farm practices for dissemination by field workers to farmers;

- g. Take charge of the development of an effective farm planning and budgeting as basis for supervised credit assistance to farmers;
- h. Evolve programs on agricultural engineering for the development of farms;
- i. Conduct periodic evaluation of departmental programs on agricultural development; and
- j. Perform such other functions as may be assigned from time to time.

Functions of the Home Management and
Rural Youth Development Division

SEC. 15.2. The Home Management and Rural Youth Development Division shall perform the following functions, among others:

- a. Formulate and prescribe guidelines and techniques for home management technologists in extending assistance to farm families, particularly on family planning, food and nutrition, home sanitation, clothing, child care, and adult education and in the organization of rural improvement clubs;
- b. Undertake research on home industries which can be promoted in the rural homes and implemented by the women and the youth and on other socio-economic projects that will encourage their participation in community development work;
- c. Provide the rural youth technologists with the standards, guidelines and techniques in the organization of rural youth clubs through which the youth people in the rural areas can be trained in community leadership;
- d. Develop programs and guidelines for the conduct of campaign for better food and nutrition practices among the families;

e. Conduct periodic evaluation of departmental programs on home and youth development; and

f. Perform such other functions as may be assigned from time to time.

Functions of the Cooperatives Organization Division

SEC. 15.3. The Cooperatives Organization Division shall have the following functions, among others:

a. Evolve programs on agricultural cooperatives organization and development geared towards the growth of more independent, self-reliant and responsible farm families;

b. Develop programs for a comprehensive information drive on agricultural cooperative organization including multi-purpose cooperatives and other farmers' associations;

c. Conduct research on cooperative development activities in progressive countries which can be adopted by the Department to accelerate the development of cooperatives in the country;

d. Provide the cooperative agents with guidelines, procedures and techniques in educating the farmers on cooperative principles and on the economic benefits they can derive from cooperative undertakings;

e. Conduct periodic evaluation of departmental programs on cooperative organization and development; and

f. Perform such other functions as may be assigned from time to time.

FUNCTIONS OF THE REGIONAL OFFICES

SEC. 16. The Department shall have Regional Offices in each of the ten (10) regional areas established under Section 50-I of

the Land Reform Code, as amended, which shall be located in the regional centers specified therein. The Secretary of Agrarian Reform shall initially organize Regional Offices in the following regions:

Region No. 3 – The Central Luzon Region

Region No. 4 – The Southern Tagalog Region

Region No. 5 – The Bicol Region

Region No. 7 – The Central and Eastern Visayas Region, and

Region No. 9 – The Central Mindanao Region.

The Secretary is authorized to organize regional offices in the other five regions as soon as funds are available and more extensive agrarian reform activities are activated in these regions. In the meantime, Region No. 1 (Ilocos Region) and Region No. 2 (Cagayan Valley Region) shall be serviced by the Regional Office of Region No. 3 located at San Fernando, Pampanga; Region No. 6 (Western Visayas Region) by the Regional Office of Region No. 7 located at Cebu City; and Region No. 8 (Western Mindanao Region) and Region No. 10 (Eastern Mindanao Region) by the Regional Office of Region No. 9 located at Cagayan de Oro City.

SEC. 17. The Regional Office shall be responsible for the general supervision, direction and coordination of the operations and activities of the Department within the Region. It shall perform the following broad functions provided for by the Land Reform Code:

(1) Implement laws, policies, plans, programs, rules, and regulations of the Department in the regional area;

(2) Provide economical, efficient, and effective service to the people;

(3) Coordinate with regional offices of other departments, bureaus and agencies in the area;

(4) Coordinate with local government in the area;

(5) Perform such related functions as may be provided by other existing laws,

SEC. 18. The Regional Office shall have the following divisions with corresponding duties and responsibilities, as follows:

Functions of the Administrative Division

Sec. 18.1 The Administrative Division which shall have the following functions, among others:

a. Provide advice, develop and manage a personnel management program which shall include training of personnel, action on various personnel transactions, and dissemination of laws, rules and regulations on personnel;

b. Prepare, submit, execute and control the budget for the region;

c. Prepare and maintain books of accounts;

d. Pay salaries and wages and other approved vouchers;

e. Procure supplies, keep records, and provide security, janitorial, messenger and other general services; and

f. Perform such other administrative functions as may be directed by the Regional Director.

Functions of the Operations Division

SEC. 18.2. The Operations Division shall constitute the staff of the Regional Director in the formulation and evaluation of the execution of plans and programs on the substantive functions of the Department in the region. It shall have the following functions, among others:

a. Prepare and submit plans and programs for the region for approval and/or incorporation in a nation-wide program on the following substantive functions:

- (1) Farm Extension Services,
- (2) Home Management Services,
- (3) Rural Youth Development,
- (4) Cooperatives Development,
- (5) Legal Services
- (6) Land Affairs and Special Services,
- (7) Financial Assistance and Credit Services, and
- (8) Other related services.

b. Provide technical assistance to the District Offices, Agrarian Reform Teams and other field units in the implementation of approved plans and programs on agrarian reform substantive services;

c. Evaluate the implementation and effectiveness of plans and programs and recommend remedial measures;

d. Perform such operational activities as may be necessary or more economical and effective at the regional level, including supervising the proper implementation of contractual surveys; conducting land surveys by administration; and reviewing and acting on all matters investigated and elevated by the District Offices to the Regional Office; and

e. Perform other functions as may be directed by competent authority.

FUNCTIONS OF THE DISTRICT OFFICES

SEC. 19. The Secretary is authorized to organize such number of District Offices within a regional area as the exigencies of the Land Reform Program may require. The District Office, under the immediate supervision and direction of the appropriate regional office, shall be the organizational machinery of the Department in the district responsible for the expeditious implementation of substantive programs and projects on agrarian reforms.

The District Office shall consist of the District Office proper and the Agrarian Reform Teams which shall service, where appropriate, the agrarian settlements.

Functions of the District Office Proper

SEC. 19.1. The District Office proper shall be responsible for the general supervision, direction and coordination of the operations and activities of the Department including the agrarian reform teams operating within the district, and shall have the following functions, among others:

a. Set priorities, specific targets, schedules and deadlines for the execution of plans, programs and projects on the following substantive agrarian reform functions:

- (1) Farm Extension Services,
- (2) Home Management Services,
- (3) Rural Youth Development Services,
- (4) Legal Services,
- (5) Land Affairs and Special Services,
- (6) Financial Assistance and Supervised Credit Services, and

(7) Other related services,

b. Conduct planned and periodic performance audit surveys in collaboration with the regional office, to assess the effectiveness of agrarian reform program and projects in the district;

c. Conduct spot inspections as may be necessary to identify specific operational problems and recommend solutions to problems identified;

d. Perform such operational activities as may be necessary to be undertaken at the district level, including providing legal service to tenants, agricultural lessees, farm workers and agricultural owner-cultivators or members of their immediate farm household in cases arising from or are connected with agrarian disputes; handling of expropriation proceedings; registering cooperatives organized by Agrarian Reform Teams with the ACA district office; and reviewing and acting on all matters initially investigated and elevated by Agrarian Reform Teams, to the District Office.

e. Provide administrative services to the district office and agrarian reform team as may be practicable; and

f. Perform such other functions as may be directed by competent authority.

Functions of the Agrarian Reform Teams

SEC. 19.2. The Agrarian Reform Team, through its extension workers, legal officers and other specialists, shall provide direct assistance to farmers, lessee-tillers and the public on the various aspects of the agrarian reform program.

It shall have the following functions, among others:

a. Provide technical assistance on farm extension services, including scientific agricultural development, out of school farmers education; promotion, formation and growth of farmers association

and other related services to improve the managerial skills of the farmers;

b. Provide technical assistance on home management services, including the promotion of home industries, child care and development, food and nutrition, out of school home management education and other related activities to improve the living conditions of the farm families;

c. Provide assistance on rural youth training and development, promotion and guidance of rural youth clubs and establishment of income generating projects;

d. Prepare, execute and evaluate plans and programs for the organization, operation and other aspects of cooperatives development;

e. Provide assistance on various legal services, including legal information and legal counselling, processing and documentation of applications for free patent and applications to purchase lots, preliminary investigations of conflicting claims on lot boundaries and appraisal of properties, mediation of differences or problems arising from tenancy relationship, execution and registration of lease contracts, initial investigation of administrative cases and other legal services;

f. Provide assistance on problems relating to land affairs and special services, including preliminary screening of settler-applicants and prospective allocatees; preliminary investigation of estates voluntarily offered for government acquisition, estates under petition for appropriation and estates under petition for pre-emption and redemption; initial studies on land consolidation schemes as basis for economic family-size farms; initial studies on land capability and classification to aid in the summary fixing of rentals; and determination of the suitability of prospective land settlements and other related services; and

g. Render assistance on the extension and repayment of loans under a scheme of supervised credit and provide liaison services with different lending institutions.

SEC. 19.3. The Agrarian Reform Team shall perform the following additional functions in an area where it services an agrarian resettlement:

a. Prepare and execute approved area development programs to include the clearing of the settlement, building and maintenance of roads, school buildings, artesian wells and water works;

b. Provide medical services to the settlers;

c. Advance to the settlers subsistence, work animals, farm implements, seeds and other facilities;

d. Allocate farm and home lots to newly resettled families;

e. Maintain peace and order within the resettlement area;

f. Maintain coordinative and liaison relationships with other agencies of the national government;

g. Secure the support and active involvement of local governments on the programs and projects of the settlement; and

h. Pave the way for the absorption of the settlement by an existing local government or the creation of a new municipality.

Functions of the Consultative and Coordinating
Committee

SEC. 20. A Consultative and Coordinating Committee shall be created and attached to the Regional Office and District Office, respectively. The Committee shall include in its membership representatives of tiller-lessees, local governments in the area, civic

and religious institutions and other segments of the community as the Secretary may deem appropriate.

SEC. 21. The Committee shall serve as a medium in securing the popular support and active involvement of local governments, tiller-lessees, civic and religious organizations and other segments of the community within a geographic region or district.

It shall have the following functions, among others:

1. Provide advisory, consultative and coordinating services in the initial preparation of plans, programs and projects covering the various aspects of the agrarian reform program such as the leasehold system, the acquisition, distribution and development of private and public agricultural lands, the development of cooperatives and small scale industries and the like, and other corollary operations activities that should be carried out through barrio, municipal, provincial and city governments;

2. Provide an organized forum for seeking public opinion, conducting public hearings and initiating studies to establish the basis for determining feasibility and fund requirements of agrarian reform projects; and

3. Offer individual or collective mediation facilities on agrarian disputes and other operation problems.

CREATION OF THE AGRARIAN REFORM COORDINATING COUNCIL

SEC. 22. There is hereby created an Agrarian Reform Coordinating Council composed of the Secretary of Agrarian Reform as Chairman and the Secretary of Agriculture and Natural Resources, Secretary of Finance, Secretary of Justice, and Presidential Assistant for Community Development as members, which shall provide technical advice and assistance to the Department and foster interdepartmental coordination among agencies performing functions related to land reform.

STAFFING PATTERN

SEC. 23. The personnel structure of the Department for the period from the date of this Executive Order No. the thirtieth of June, nineteen hundred and seventy-two, shall conform to the following Staffing Pattern herein provided:

(1) DEPARTMENT PROPER

	<u>No.</u>	<u>Salary Range</u>	<u>Amount</u>
<u>A. Office of the Secretary</u>			
Secretary of Agrarian Reform	1	Exempt	P24,000.00
Undersecretary of Agrarian Reform	1	Exempt	18,000.00
Head Executive Assistant	1	61	11,904.00
Private Secretary II	1	51	7,236.00
Senior Executive Assistant I (Confidential)	2	48	P12,480.00
Private Secretary I	1	47	5,928.00
Asst. Private Secretary	1	37	3,612.00
Stenographer	2	31	5,760.00
Clerk II	1	31	2,880.00
<u>B. Planning Service</u>			
Agrarian Reform Service Chief*	1	60	P11,328.00
Agrarian Reform Assistant Service Chief*	1	57	9,756.00
Senior Agrarian Reform Program Officer*	4	49	26,208.00
Statistician III	1	43	4,860.00
Economic Researcher II	1	42	4,632.00
Statistician II	1	41	4,404.00
Stenographer	1	31	2,880.00
Clerk II	2	31	5,760.00

<u>C. Financial and Management Service</u>			
Agrarian Reform Service Chief*	1	60	P11,328.00
Stenographer	1	31	2,880.00
Clerk II	2	31	5,760.00
<u>1. Budget Division</u>			
Department Budget Officer I	1	55	P8,832.00
Budget Officer II	2	49	13,104.00
Budget Examiner III	1	45	5,376.00
Budget Examiner II	4	42	18,528.00
Budget Aide	1	31	2,880.00
<u>2. Accounting Division</u>			
Dept. Chief Accountant I	1	55	P8,832.00
Supervising Accountant	2	48	12,480.00
Accountant III	1	45	5,376.00
Accountant II	3	43	14,580.00
Bookkeeper II	2	39	7,968.00
Accounting Clerk II	2	31	5,760.00
<u>3. Management Division</u>			
Supervising Management Analyst I	1	53	P7,992.00
Senior Management Analyst	2	49	13,104.00
Management Analyst II	2	45	10,752.00
Management Analyst I	2	42	9,264.00
Clerk II	1	31	2,880.00
<u>D. Administrative Service</u>			
Agrarian Reform Chief*	1	60	P11,328.00
Stenographer	1	31	2,880.00
Chief Legal Officer	1	56	9,288.00
Legal Officer III	1	46	5,640.00
Legal Officer I	1	39	3,984.00

Senior Stenographer	1	33	2,952.00
Clerk II	1	31	2,880.00
<u>a. Medical and Dental</u>			
<u>Clinic</u>			
Clinic Physician	1	43	P4,860.00
Dentist I	1	38	3,792.00
Nurse	1	33	2,952.00
<u>1. Personnel Division</u>			
Personnel Officer III	1	54	P8,400.00
Personnel Officer II	2	49	13,104.00
Senior Personnel Aide	4	36	13,728.00
Senior Personnel Aide	1	36	3,432.00
Clerk II	2	31	5,760.00
<u>2. Information Division</u>			
Chief Information Officer I	1	53	P7,992.00
Supervising Information Officer II	2	49	13,104.00
Radio-TV Program Script Writer	1	42	4,632.00
Information Editor II	2	41	8,808.00
Senior Librarian	1	39	3,984.00
Radio Producer-Announcer II	1	39	3,984.00
Information Editor I	1	36	3,432.00
Artist-Illustrator I	1	36	3,432.00
Photographer II	1	35	3,264.00
Audio-Visual Equipment Operator	1	31	2,880.00
Clerk II	2	31	5,760.00
<u>3. General Services Division</u>			
Administrative Officer III	1	52	P7,608.00
Supply Officer III	1	49	6,552.00
Administrative Officer I	1	46	5,640.00

LAWS AND EXECUTIVE ISSUANCES ON AGRARIAN REFORM

Records Officer IV	1	45	5,376.00
Cashier II	1	41	4,404.00
Principal Storekeeper	1	40	4,188.00
Shipping Supervisor	1	40	4,188.00
Cashier I	1	38	3,792.00
Buyer	3	37	10,836.00
Telegraph Operator	2	35	6,528.00
Radiophone Operator	2	33	5,904.00
Vartype Machine Operator	1	33	2,952.00
Storekeeper II	1	32	2,880.00
Clerk II	5	31	14,400.00
Automotive Mechanic II	1	31	2,880.00
Duplicating Equipment Operator II	2	31	5,760.00
Telephone Operator	2	30	5,760.00
Mechanic I	1	30	2,880.00
Driver	5	30	14,400.00
Mechanic Helper	1	27	2,880.00
Messenger	4	27	11,520.00
Laborer	3	26	8,640.00
Janitor	3	26	8,640.00
<u>E. Agrarian Reform Education Service</u>			
Agrarian Reform Service Chief*	1	60	P11,328.00
Agrarian Reform Training Specialist*	1	49	6,552.00
Training Officer	2	42	9,264.00
Stenographer	1	31	2,880.00

* Proposed New Title

(2) BUREAU OF AGRARIAN LEGAL ASSISTANCE

<u>1. Office of the Director</u>			
Director of Agrarian Reform*	1	63	P13,152.00
Asst. Director of Agrarian Reform*	1	60	11,328.00
Secretary	1	37	3,612.00
Senior Stenographer	1	33	2,952.00
<u>2. Judicial Cases Division</u>			
Trial Attorney IV	1	56	P9,288.00
Trial Attorney III	2	50	13,776.00
Trial Attorney II	2	46	11,280.00
Stenographer	2	31	5,760.00
<u>3. Claims and Conflicts Division</u>			
Chief Legal Officer	1	56	P9,288.00
Senior Legal Officer	2	50	13,776.00
Legal Officer III	1	46	11,280.00
Clerk II	1	31	2,880.00
Stenographer	1	31	2,880.00
<u>4. Legal Information and Mediation Division</u>			
Chief Legal Officer	1	56	P9,288.00
Senior Legal Officer	2	50	13,776.00
Legal Officer III	2	46	11,280.00
Stenographer	1	31	2,880.00
Clerk II	1	31	2,880.00

* Proposed New Title

(3) BUREAU OF LAND ACQUISITION, DISTRIBUTION AND DEVELOPMENT

<u>1. Office of the Director</u>			
Director of Agrarian Reform*	1	63	P13,152.00
Asst. Director of Agrarian Reform*	1	60	11,328.00
Secretary	1	37	3,612.00
Senior Stenographer	1	33	.002,952
<u>2. Land Acquisition Division</u>			
Chief Agrarian Reform Program Officer*	1	54	P8,400.00
Senior Agrarian Reform Program Officer*	2	49	13,104.00
Agrarian Reform Program Officer	3	46	16,920.00
Clerk II	1	31	2,880.00
<u>3. Land Distribution Division</u>			
Chief Agrarian Reform Program Officer*	1	54	P8,400.00
Senior Agrarian Reform Program Officer*	2	49	13,104.00
Agrarian Reform Program Officer*	3	46	16,920.00
Clerk II	1	31	2,880.00
<u>4. Land Surveys Division</u>			
Supervising Geodetic Engineer II	1	53	P7,992.00
Senior Geodetic Engineer	2	47	11,856.00
Geodetic Engineer	2	44	10,224.00
Senior Cartographer	1	37	3,612.00
Cartographer II	2	33	5,904.00
Computer II	4	33	11,808.00
Clerk II	1	31	2,880.00
<u>Field Staff</u>			

Junior Geodetic Engineer	1	38	P3,792.00
Surveyman	2	31	5,760.00
Computer I	2	31	5,760.00
Cartographer I	1	31	2,880.00
Survey Aide II	2	30	5,760.00
5. <u>Land Capability and Classification Division</u>			
Supervising Geodetic Engineer II	1	53	P7,992.00
Senior Geodetic Engineer	1	47	.005,928
Senior Soil Technologist	1	46	5,640.00
Supervising Cartographer	1	45	5,376.00
Geodetic Engineer	2	44	10,224.00
Soil Technologist II	2	42	9,264.00
Photocopy Supervisor	1	40	4,188.00
Cartographer II	2	33	5,904.00
Computer II	4	33	11,808.00
Clerk II	1	31	2,880.00
Tracer	1	30	2,880.00

* Proposed New Title

(4) BUREAU OF RESETTLEMENT

1. <u>Office of the Director</u>			
Director of Agrarian Reform*	1	63	P15,152.00
Assistant Director of Agrarian Reform*	1	60	11,328.00
Secretary	1	37	3,612.00
Senior Stenographer	1	33	2,952.00
2. <u>Census and Statistics Division</u>			
Supervising Statistician	1	51	P7,236.00
Senior Statistician	2	47	11,856.00

Statistician III	3	43	14,580.00
Statistician II	3	41	13,212.00
Statistical Aide II	2	32	5,760.00
<u>3. Settler's Affairs Division</u>			
Chief Agrarian Reform Program Officer*	1	54	P8,400.00
Senior Agrarian Reform Program Officer*	2	49	13,104.00
Medical Services Supervisor I	1	47	5,928.00
Agrarian Reform Program Officer*	3	46	16,920.00
Clerk II	1	31	2,880.00
<u>4. Engineering Division</u>			
Supervising Civil Engineer II	1	53	P7,992.00
Senior Civil Engineer	1	47	5,928.00
Senior Mechanical Engineer	1	47	5,928.00
Architect II	1	42	4,632.00
Civil Engineering Draftsman	1	35	3,264.00
Clerk II	1	31	2,880.00
<u>Field Service</u>			
Civil Engineer	3	44	P15,336.00
Electrical Engineer	1	44	5,112.00
Agricultural Engineer	1	44	5,112.00
<u>5. Special Projects Division</u>			
Chief Agrarian Reform Program Officer*	1	54	P8,400.00
Senior Agrarian Reform Program Officer *	3	49	19,656.00
Senior Agricultural Project Coordinator	1	44	5,112.00
Agricultural Engineer	1	44	5,112.00

Economist	1	44	5,112.00
Clerk II	1	31	2,880.00

* Proposed New Title

(5) BUREAU OF FARM MANAGEMENT

<u>1. Office of the Director</u>			
Director of Agrarian Reform*	1	63	P13,152.00
Assistant Director of Agrarian Reform*	1	60	11,328.00
Secretary	1	37	3,612.00.
Senior Stenographer	1	33	2,952.00
<u>2. Agricultural Development Division</u>			
Chief Agrarian Reform Program Officer*	1	54	P8,400.00
Senior Agrarian Reform Program Officer*	2	49	13,104.00
Agrarian Reform Program Officer*	4	46	22,560.00
Clerk II	1	31	2,880.00
<u>3. Home Management and Rural Youth Development Division</u>			
Chief Agrarian Reform Program Officer*	1	54	P8,400.00
Senior Agrarian Reform Program Officer*	2	49	13,104.00
Agrarian Reform Program Officer*	4	46	22,560.00
Clerk II	1	31	2,880.00
<u>4. Cooperative Organization Division</u>			
Chief Agrarian Reform Program Officer*	1	54	P8,400.00
Senior Agrarian Reform Program Officer*	2	49	13,104.00

Agrarian Reform Program Officer*	2	46	11,280.00
Clerk II	1	31	2,880.00

* Proposed New Class Title

(6) FIELD OPERATIONS

REGIONAL OFFICES

1. Office of the Regional Director			
Agrarian Reform Regional Director*	10	60	P113,280.00
Secretary	5	37	18,060.00
Senior Stenographer	5	33	14,760.00
2. Administrative Division			
Administrative Officer I	5	46	P28,200.00
Personnel Officer II	5	43	24,300.00
Budget Examiner III	5	42	23,160.00
Accountant II	5	41	22,020.00
Statistician III	5	41	22,020.00
Cashier I	5	38	18,960.00
Supply Officer I	5	37	18,060.00
Records Officer I	5	36	17,160.00
Radiophone Operator	10	33	29,520.00
Clerk II	5	31	14,400.00
Clerk I	5	30	14,400.00
Accounting Clerk I	5	30	14,400.00
Driver	10	30	28,800.00
Janitor	5	26	14,400.00
3. Operations Division			
Regional Home Mgt. Technician	5	45	P26,880.00
Regional Rural Youth Officer	5	45	26,880.00

Regional Farm Mgt. Technician*	5	45	26,880.00
Agricultural Cooperatives Specialist I*	5	45	26,880.00
Settlers' Affairs Officer*	5	45	26,880.00
Trial Attorney II	5	46	28,200.00
Legal Officer III	5	46	28,200.00
Senior Land Acquisition-Allocation Officer	5	44	.0025,560
Clerk II	5	31	14,400.00
<u>Field Survey Team</u>			
Junior Geodetic Engineer	5	38	P18,960.00
Cartographer I	5	31	14,400.00
Computer I	10	31	28,800.00
Surveyman	10	31	28,800.00
Survey Aide II	10	30	28,800.00

* Proposed New Class Title

DISTRICT OFFICES

Agrarian Reform District Officer*	15	52	P114,120.00
Trial Attorney II	15	46	84,600.00
Legal Officer II	15	42	69,480.00
Land Acquisition-Allocation Officer*	15	40	62,820.00
Administrative Assistant I	15	40	62,820.00
Stenographer	15	31	43,200.00
Clerk II	15	31	43,200.00
Driver	15	30	43,200.00
Janitor	15	26	43,200.00

* Proposed New Class Title

AGRARIAN REFORM TEAMS

Agrarian Reform Team Leader III	10	50	P68,000.00
Agrarian Reform Team Leader II	20	48	124,800.00
Sawmill Superintendent	2	47	11,856.00
Agrarian reform Team Leader I	64	46	360,960.00
Rural Health Physician	8	45	43,008.00
Civil Engineer	1	44	5,112.00
Legal Officer II	92	42	426,144.00
Accountant I	28	41	123,312.00
Mechanical Repair Shop Foreman	2	41	8,808.00
Agricultural Extension Supervisor	92	40	385,296.00
General Construction Foreman	1	40	4,188.00
Agricultural Cooperatives Agent	92	39	366,528.00
Cashier I	28	38	106,176.00
Dentist I	8	38	30,336.00
Junior Statistician	92	35	250,288.00
Supervising Mechanic	1	38	3,792.00
Logging-Sawmill Supervisor	2	36	6,864.00
Public Health Nurse	8	35	26,112.00
Farm Mgt. Technologist*	712	34	
Home Mgt. Technologist*	176	34	547,008.00
Rural Youth Technologist*	176	34	547,008.00
Radiophone Operator	28	33	82,656.00
Senior Clerk	2	33	5,904.00
Senior Mechanic	1	33	2,952.00
Highway Maintenance Foreman	1	33	2,952.00
Clerk II	121	31	
Land Inspector	28	31	80,640.00
Heavy Equipment Operator	11	31	31,680.00

Marine Engineman	1	31	2,880.00
Machinist II	1	31	2,880.00
Mechanic II	7	31	20,160.00
Bldg. Maintenance Foreman I	1	31	2,880.00
Sawyer Foreman	2	31	5,760.00
Accounting Clerk II	1	31	2,880.00
Midwife I	44	30	126,720.00
Security Guard	63	30	181,440.00
Bill Collector	28	30	80,640.00
Storekeeper I	12	30	34,560.00
Clerk I	5	30	14,400.00
Driver	49	30	141,120.00
Coxswain	1	30	2,880.00
Mechanic I	8	30	23,040.00
Logging Foreman	2	30	5,760.00
Automotive Serviceman	1	27	2,880.00
Laborer	92	26	264,960.00

S U M M A R Y

Central Office	277	P1,442,184
Field Operations	2,458	8,533,048
(Central Office)	(13)	(49,512)
(Regional Offices)	(185)	(786,420)
(District Offices)	(135)	(566,640)
(Agrarian Reform Teams)	<u>(2,125)</u>	<u>(7,130,476)</u>
GRAND TOTAL	<u>2,735</u>	<u>P9,975,232</u>

SEC. 24. Except as otherwise provided by law, all appointments to the positions authorized under this Staffing Pattern shall be in accordance with the merit requirements of the Civil Service Law and

rules and duly approved qualification standards for each position: Provided, that in the case of new position titles, qualification standards therefor shall be developed by the Department, subject to approval by the President upon recommendation of the Civil Service Commission.

SEC. 25. All personnel of the defunct National Land Reform Council and Land Authority and all organic personnel of the defunct Land Reform Project Administration who hold permanent appointments and whose performance ratings are at least satisfactory shall be given preference for appointment to these positions. Consideration for the employment of other persons shall be made only after these personnel shall have been considered.

SEC. 26. Should separations or demotions arise as a result of the establishment of this personnel structure, the provisions of the Civil Service Rule on Reduction in Force shall be strictly followed.

SEC. 27. No original appointments to positions, except confidential positions, in the Staffing Pattern shall be made until all present qualified employees in the abolished agencies shall have been absorbed to appropriate positions provided in the Staffing Pattern. The Secretary of Agrarian Reform shall furnish the Civil Service Commission a certified list of all employees separated as a result of the implementation of the organization of the Department together with a justification for their separation.

SEC. 28. The position titles used in the Staffing Pattern are tentative and shall be used only for purposes of initial appointments to positions provided therein. The position titles shall be subject to final determination and allocation to appropriate classes and salary ranges by WAPCO upon conduct of the usual audit of the duties and responsibilities assigned to the positions.

SEC. 29. All initial appointments to positions in the Staffing Pattern shall be at the authorized or actual salaries of the incumbents appointed to the positions, whichever is higher. In the reallocation of appropriations authorized to be made under Section 34 of this

Executive Order, an adequate lump-sum amount shall be provided to take care of all cases where the actual salary of the appointee is more than the rate authorized.

SEC. 30. Salary increases as may result from appointments to positions in the Staffing Pattern shall be effective only after final determination and allocation of said positions by the WAPCO pursuant to Section 28 of this Executive Order.

SEC. 31. In the selection and initial appointment of personnel for positions in the Staffing Pattern, the Secretary shall be assisted by a Committee composed of a representative of the Department of Agrarian Reform, a representative of the Presidential Economic Staff, and a representative of the Civil Service Commission.

SEC. 32. The Secretary of Agrarian Reform is authorized to make the necessary changes in the Staffing Pattern with the approval of the Office of the President upon the recommendation of the Commissioner of the Budget, to correct deficiencies that in his opinion may have resulted from the preparation thereof: Provided, That any adjustment or adjustments made pursuant hereto shall not result in an increase in the total appropriations for personal services authorized for the Department: Provided, Further, That such adjustments shall not result in an increase in the number of authorized positions herein prescribed; Provided, Finally, That such adjustments shall not be contrary to the constraints on the personnel structure provided for under Republic Act No. 6389.

REALLOCATION OF APPROPRIATIONS

SEC. 33. The total appropriations authorized from all funds for the Land Authority, including the National Land Reform Council and the Land Reform Project Administration under Republic Act Numbered Sixty-four hundred, (B- Office of the President, (5) Land Authority, pp. 105–133) are made available, based on the unexpended balances thereof as of the effective date of this Executive Order, for the operations of the Department for the fiscal year ending June 30, 1972.

SEC. 34. The Commissioner of the Budget is authorized to reallocate the appropriations made available to the Department in accordance with the following budgetary structure herein prescribed for the Department:

(1) OFFICE OF THE SECRETARY

PROGRAM I – GENERAL ADMINISTRATION AND STAFF SERVICES

Project 1 – General Administration and Staff Services

PROGRAM II – FIELD OPERATIONS

Project 1 – Extension Services

Project 2 – Land Acquisition, Distribution and Development

Project 3 – Resettlement and Rehabilitation

Project 4 – Legal Services

Project 5 – General Administration

PROGRAM III – CAPITAL IMPROVEMENTS AND ASSISTANCE

Project 1 – Land and Home Development and Improvement

Project 2 – Direct Assistance

Project 3 – Land Acquisition

Project 4 – Sawmill Operations

(2) BUREAU OF FARM MANAGEMENT

PROGRAM I – EXTENSION SERVICES

Project 1 – Extension Services

(3) BUREAU OF LAND ACQUISITION, DISTRIBUTION
AND DEVELOPMENT

Project 1 – Acquisition, Distribution and Development of
Public and Private Lands.

Project 2 – Land Capability Survey and Classification

(4) BUREAU OF RESETTLEMENT

PROGRAM I – RESETTLEMENT

Project 1 – Resettlement and Rehabilitation

(5) BUREAU OF AGRARIAN LEGAL ASSISTANCE

PROGRAM I – AGRARIAN LEGAL ASSISTANCE

Project 1 – Legal Services

SEC. 35. Unless otherwise contrary to Republic Act No. 6389 and this Executive Order, the Special Provisions applicable to the Land Authority under Republic Act 6400 shall remain in full force and effect with reference to the Department.

SEC. 36. Unless otherwise contrary to and/or affected or modified by Republic Act No. 6389 and this Executive Order, the lump-sum appropriations for specific purposes including capital outlays as well as the provisos and limiting clauses applicable to the appropriations herein made available to the Department under Section 14 hereof, shall remain in full force and effect with reference to the Department.

GENERAL PROVISIONS

SEC. 37. The Secretary of Agrarian Reform is hereby authorized to organize the field operations of the Department in accordance with the provisions of this Executive Order, including determining the initial complement of the various regional offices and making the necessary subsequent adjustment in the assignment of field personnel and agrarian reform teams among the various regional offices as the exigency of the agrarian reform program may require.

SEC 38. The Secretary of Agrarian Reform shall delegate as much authority as is necessary and feasible to the regional offices of the Department: Provided, That such delegation shall be in writing; shall indicate to which officer or class of officers or employees the delegation is made; shall define the extent to which each delegatee will be held responsible for results; and shall best each delegatee with sufficient authority to enable him to discharge his assigned responsibility; Provided, Further, That such delegation shall be effected within the fiscal period ending June 30, 1972.

TIMING OF ADMINISTRATIVE ACTIONS

SEC. 39. The Secretary shall direct the orderly scheduling of transfers, changes and other transitional actions required by Republic Act 6389 otherwise known as the Code of the Agrarian Reform of the Philippines and this Executive Order, including the final selection of personnel to fit the positions in the Staffing Pattern; provided that all such actions shall be completed within ninety days following the issuance of this Executive Order. In the interim, each entity shall continue to perform its existing functions until such time as the appropriate authority orders change or cessation and each officer and employee shall continue to perform his duties and to exercise his authority until such time as the Secretary orders otherwise but not beyond the termination of the transition period prescribed above.

SEC. 40. The Commissioner of the Budget shall effect the orderly reallocation of funds and other transitional actions relative thereto to enable the Department to be fully operational within sixty days following the issuance of this Executive Order. The Commissioner of the Budget shall likewise reflect in full all the provisions of Republic Act No. 6389 and this Executive Order or parts thereof in the Budget for the next succeeding fiscal year and thereafter except as may otherwise be more specifically provided.

Done in the City of Manila, this 10th day of November, in the year of Our Lord, nineteen hundred and seventy-one.

(Sgd.) FERDINAND E. MARCOS
President of the Philippines

By the President:

(Sgd.) ROBERTO V. REYES
Assistant Executive Secretary

EO 347 s. 1971 was amended by EO 437 s. 1974

MALACAÑANG
MANILA

RESIDENCE OF THE PRESIDENT
OF THE PHILIPPINES

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 348, s. 1971

CREATING THE AGRICULTURAL GUARANTEE FUND BOARD

Pursuant the provisions of Section 13 of Republic Act No. 6390 (An Act to Accelerate the Implementation of the Agrarian Reform Program by Creating an Agrarian Reform Special Account in the General Fund, Providing the Necessary Funds Therefor, and For Other Purposes), I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby create the Agricultural Guarantee Fund Board composed of the following members:

Secretary of Finance	Chairman
Secretary of Agriculture and Natural Resources	Member
Secretary of Agrarian Reform	Member
Governor of Central Bank of the Philippines	Member
President of the Rural Bankers Association of the Philippines	Member

In the event that the Chairman or any member of the Board cannot attend any meeting thereof, he shall designate the next ranking official of the office or agency concerned to represent him in the deliberations of the Board.

The Board shall have the following duties and functions:

a) To administer the Agricultural Guarantee Fund established under Section 12 of Republic Act No. 6390;

b) To formulate the policies necessary for the administration of the Agricultural Guarantee Fund in accordance with the objectives of the law;

c) To promulgate such rules and regulations as may be necessary to insure the effective and efficient implementation of such policies;

d) To design and install the administrative machinery for the Fund and approve the appointment of designation of personnel thereto; and

e) To take such other action as may be necessary under the provisions of the law or in furtherance of its objectives.

Within thirty days from the opening of every session of Congress, the Board shall submit to the Joint Committee created under Republic Act No. 6390, an annual report on the status of the Fund, showing among others, the total amount of the Fund, the details of investment and returns of these investments, and amounts actually spent to pay off the guaranteed losses or uncollectible debts.

The Board is hereby authorized to request any department, bureau, office, agency, or instrumentality of the Government for the detail or assignment of such personnel as may be needed to assist the Board in the discharge of its functions and responsibilities.

Done in the City of Manila, this 10th day of November, in the year of Our Lord, nineteen hundred and seventy-one.

(SGD.) FERDINAND E. MARCOS
President of the Philippines

By the President:

(SGD.) ALEJANDRO MELCHOR
Executive Secretary

MALACAÑAN PALACE
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 355, s. 1950

CREATING THE LAND SETTLEMENT AND DEVELOPMENT
CORPORATION AND DISSOLVING THE NATIONAL
LAND SETTLEMENT ADMINISTRATION, AND THE RICE
AND CORN PRODUCTION ADMINISTRATION AND THE
MACHINERY AND EQUIPMENT DEPARTMENT OF THE
NATIONAL DEVELOPMENT COMPANY

Pursuant to the powers vested in me by Republic Act Numbered Four hundred and twenty-two, I, Elpidio Quirino, President of the Philippines, do hereby order:

CREATION, POWERS AND FUNCTIONS

SECTION 1. There is hereby created a public corporation under the name of the Land Settlement and Development Corporation which, in short, shall be known as the "LASEDECO." This Corporation shall exist for a period of twenty-five years from the effective date of this Order. It shall have its main office in the City of Manila, and such branches and agencies in other places, within and outside of the Philippines, as may be necessary for the proper conduct of its business.

SEC. 2. The LASEDECO shall have the following powers, duties and functions:

(a) To facilitate the acquisition, settlement and cultivation of agricultural lands;

(b) To afford opportunity to own farms to tenant farmers and small farmers from congested areas, to graduates of agricultural schools and colleges, to trainees who have completed the

prescribed military training, to veterans and members of guerrilla organizations, and to other persons as may be determined by the Board of Directors with the approval of the Secretary of Economic Coordination;

(c) To encourage migration to sparsely populated regions, and facilitate the amalgamation of the people in different sections of the Philippines;

(d) To acquire by grant from the Republic of the Philippines unrestricted areas of public agricultural lands in order to carry out its objectives; to survey, subdivide and set aside lots or areas of such lands for farming, townsites, roads, parks, government centers, recreational centers and other public and civic improvements; and to dispose of farm lands and townsite lots to persons qualified and to the extent of areas authorized under the Constitution and the Public Land Act, subject to such other qualifications, and to prices, terms and conditions as may be prescribed by the Board of Directors, with the approval of the Secretary of Economic Coordination, the proceeds from disposition of the same to accrue to the Corporation; *Provided, however,* That within a period of ten years after the final grant, the farm lands and townsite lots aforementioned shall not, except by inheritance, be encumbered, alienated or transferred, nor shall they become liable to the satisfaction of any debt contracted prior to the expiration of the said period; but the improvements or crops on such lands and lots may be mortgaged or pledged to credit agencies duly authorized therefor by the Board of Directors;

(e) To establish and operate credit agencies, electric light and water plants, water supplies, irrigation systems, cooperative to engage in the buying and selling of commodities, and other services or conveniences for the well-being of the settlers;

(f) To encourage mechanized farming; to operate tractor and agricultural machinery pools; and to maintain training centers for the operation and repair of agricultural machinery, tractors and the like;

(g) To assist in the establishment of agricultural and other vocational schools within the areas under its territorial jurisdiction, and to allocate definite portions of farm lands and townsite lots with a view to enabling students successfully finishing courses prescribed in said agricultural and vocational schools to eventually acquire title thereto;

(h) To do all such other things and to transact all such business directly or indirectly necessary, incidental or conducive to the attainment of the purposes of the Corporation; and

(i) Generally, to exercise all the powers of a corporation under the Corporation Law in so far as they are not inconsistent with the provisions of this Order.

CAPITAL

SEC. 3. The LASEDECO shall have as its capital the net worth of the National Land Settlement Administration, and the Rice and Corn Production Administration and the Machinery and Equipment Department of the National Development Company, as determined in accordance with Section 13 of this Order, including the appraised value to be determined by the Secretary of Agriculture and Natural Resources of lands ceded to it pursuant to section 14 of this Order, and such appropriations as may be authorized by law.

The Government of the Republic of the Philippines shall not be liable for any debt, liability, obligation or damage that might be contracted, incurred or caused by the corporation.

MANAGEMENT

SEC. 4. The management of the LASEDECO shall be vested in a Board of Directors consisting of a chairman and six members, appointed by the President of the Philippines with the consent of the Commission in Appointments. The said members shall serve as designated by the President in their appointments for terms of one, two, and three years, respectively, from the date they qualify

and assume office; but their successors shall be appointed for terms of three years, except that any person chosen to fill a vacancy shall serve only for the unexpired term of the member whom he succeeds. For actual attendance at meetings, each director shall receive a per diem of twenty-five pesos.

SEC. 5. The Board of Directors shall have the following powers and duties:

(a) To prescribe, amend and repeal, with the approval of the Secretary of Economic Coordination, by-laws, rules and regulations governing the manner in which the general business of the Corporation may be exercised, including provisions for the formation of such committee or committees as the Board of Directors may deem necessary to facilitate its business, and to expedite the disposition of, and the issuance of titles over, farm lands and townsite lots as contemplated in section 2 of this Order.

(b) To appoint and fix the compensation of the General Manager, subject to the approval of the President of the Philippines, and to appoint and fix the compensation of the other officers of the Corporation, with the approval of the Secretary of Economic Coordination. The Board, by a majority vote of all the members, may, for cause, suspend and, with the approval of the President of the Philippines, remove the General Manager.

SEC. 6. The powers and duties of the General Manager shall be as follows:

(a) To direct and manage the affairs and business of the Corporation, on behalf of the Board of Directors, and subject to its control and supervision;

(b) To sit in all meetings of the Board of Directors and participate in its deliberations, but without the right to vote;

(c) To submit within sixty days after the close of each fiscal year an annual report, through the Board of Directors, to the Secretary of Economic Coordination;

(d) To appoint and fix the number and salaries, with the approval of the Board of Directors, of such subordinate personnel as may be necessary for the proper discharge of the duties and functions of the Corporation, and, with the approval of the Board, to remove, suspend, or otherwise discipline, for cause, any subordinate employee of the Corporation; and

(e) To perform such other duties as may be assigned to him by the Board of Directors from time to time.

SEC. 7. No officer or employee of the Corporation shall be permitted to acquire, directly or indirectly, any land within the territorial jurisdiction of the Corporation.

SEC. 8. The Auditor General shall appoint a representative who shall be the Auditor of the LASEDECO, and the necessary personnel to assist said representative in the performance of his duties. The number and salaries of the Auditor and said personnel shall be determined by the Auditor General, subject to appropriation by the Board of Directors. In case of disagreement, the matter should be submitted to the President of the Philippines whose decision shall be final. Said salaries and all other expenses of maintaining the Auditor's office shall be paid by the LASEDECO.

SEC 9. The financial transactions of the LASEDECO shall be audited in accordance with law, administrative regulations, and the principles and procedures applicable to commercial corporate transactions. A report of audit for each fiscal year shall be submitted, within sixty days after the close of the fiscal year, by the representative of the Auditor General, through the latter, to the Board of Directors of the Corporation, and copies thereof shall be furnished the President of the Philippines, the Secretary of Economic Coordination and the Presiding Officers of the two Houses of Congress. The report shall set forth the scope of the audit and shall

include a statement of assets and liabilities, capital and surplus or deficit; a statement of surplus or deficit analysis; a statement of income and expenses; a statement of sources and application of funds; and such comments and information as may be necessary, together with such recommendations with respect thereto as may be advisable, including a report of any impairment of capital noted in the audit. The report shall also show specifically any program, expenditures, or other financial transaction or undertaking observed in the course of audit, which, in the opinion of the Auditor, has been carried on or made without authority of law.

APPOINTMENTS AND PROMOTIONS

SEC. 10. In the appointment and promotion of officers and employees, merit and efficiency shall serve as bases, and no political test or qualification shall be prescribed and considered for such appointments or promotions. Any appointee of the Board or of the General Manager, who is found by the Secretary of Economic Coordination to be guilty of violating this requirement shall be removed from office.

SEC. 11. All officers and employees of the LASEDECO shall be subject to the Civil Service Law, rules and regulations, except those whose positions may, upon recommendation of the Board of Directors and the Secretary of Economic Coordination, be declared by the President of the Philippines policy-determining, primarily confidential or technical in nature.

TRANSITORY AND SPECIAL PROVISIONS

SEC. 12. The National Land Settlement Administration, and the Rice and Corn Production Administration and the Machinery and Equipment Department of the National Development Company are hereby dissolved. Any reference to the National Land Settlement Administration, and the Rice and Corn Production Administration and the Machinery and Equipment Department of the National Development Company in any existing law, or in any Executive Order, Administrative Order, or Proclamation of the President of

the Philippines shall, with respect to any duty or function assumed by the corporation created in this Order, be deemed hereafter to be reference to the LASEDECO.

SEC. 13. The personnel, records, properties, equipment, assets, rights, choses in action, obligations, liabilities, and contracts of the National Land Settlement Administration, and the Rice and Corn Production Administration and the Machinery and Equipment Department of the National Development Company are hereby transferred to, vested in, and assumed by the LASEDECO, and all their businesses and affairs shall be liquidated, assumed, and continued by the LASEDECO: *Provided*, That an inventory and valuation of the properties, equipment, assets, rights, choses in action, obligations, liabilities, and contracts of said entities shall be made by the Auditor General, and during the inventory and valuation, the accountable officers of said entities shall continue to be fully accountable therefor, until actual physical transfer to, and acceptance by, the corresponding accountable officers of the LASEDECO: *Provided, further*, That the personnel of said entities hereby transferred shall be reappointed in the LASEDECO and those not reappointed within sixty days from the effective date of this Order shall be considered separated from the service: *And, provided, finally*, That the LASEDECO shall undertake, manage and continue the agricultural activities of the Rice and Corn Production Administration only within the areas now under cultivation until the same shall have been disposed of in accordance with section 2 hereof, but in case for a period longer than five years from the effective date of this Order.

SEC. 14. All surveyed portions of the public agricultural lands heretofore transferred or reserved for the use and operation of the National Land Settlement Administration and the Rice and Corn Production Administration of the National Development Company, and/or of those which may hereafter be transferred by the President of the Philippines to the LASEDECO, shall be ceded to the LASEDECO, and the President of the Philippines shall from time to time cause the issuance of patents or other deeds transferring title to such lands to the said Corporation in accordance with the

provisions of the Public Land Act and such rules and regulations as may be promulgated to facilitate the transfer of title to the said Corporation.

MISCELLANEOUS PROVISIONS

SEC. 15. All Acts or parts of Acts and all Executive Orders, Administrative Orders, and Proclamations or parts thereof inconsistent with any of the provisions of this Order are hereby repealed or modified accordingly.

SEC. 16. If any provision of this Order should be held invalid, the other provisions shall not thereby be affected.

SEC. 17. This Executive Order shall take effect on October twenty-third, nineteen hundred and fifty.

Done in the City of Manila, this 23rd day of October, in the year of Our Lord, nineteen hundred and fifty, and of the Independence of the Philippines, the fifth.

(Sgd.) ELPIDIO QUIRINO
President of the Philippines

By the President:

(Sgd.) TEODORO EVANGELISTA
Executive Secretary

EO 355 s. 1950 was repealed by RA 1160.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 360, s. 1989

ENJOINING ALL GOVERNMENT FINANCIAL INSTITUTIONS AND GOVERNMENT OWNED OR CONTROLLED CORPORATIONS TO GRANT THE DEPARTMENT OF AGRARIAN REFORM THE RIGHT OF FIRST REFUSAL IN THE SALE OR DISPOSITION OF ALL LANDS OWNED BY THEM WHICH ARE SUITABLE TO AGRICULTURE

WHEREAS, Section 1 of Executive Order No. 229, Series of 1987 states that: “[T]he Comprehensive Agrarian Reform Program (CARP) shall cover, regardless of tenurial arrangement and commodity produced, all public and private agricultural lands as provided in Proclamation No. 131 dated July 22, 1987, including whenever applicable in accordance with law, other lands of the public domain suitable to agriculture;”

WHEREAS, Section 4 of Republic Act No. 6657 provides that: “[T]he Comprehensive Agrarian Reform Law of 1988 shall cover, regardless of tenurial arrangement and commodity produced, all public and private agricultural lands as provided in Proclamation No. 131 and Executive Order No. 229, including other lands of the public domain suitable for agriculture;”

WHEREAS, the Presidential Agrarian Reform Council is mandated by the aforesaid laws to coordinate the implementation of the Comprehensive Agrarian Reform Program and empowered to formulate and/or implement the policies, rules and regulations, whether substantive or procedural, to carry out the objects and purposes of the said laws;

NOW, THEREFORE, I, CORAZON C. AQUINO, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. All government financial institutions and government owned or controlled corporations are hereby enjoined to grant the Department of Agrarian Reform the right of first refusal in the sale or disposition of all lands owned by them which are suitable to agriculture.

SEC. 2. The respective Heads of these institutions and corporations shall report to the Office of the President their compliance with, and their present inventory of the lands covered by, this Executive Order within thirty (30) days from date of effectivity hereof.

SEC. 3. This Executive Order shall take effect immediately.

DONE in the City of Manila this 9th day of June, nineteen hundred and eighty nine.

(Sgd.) CORAZON C. AQUINO
President of the Philippines

By the President:

(Sgd.) CATALINO MACARAIG, JR.
Executive Secretary

MALACAÑANG
RESIDENCE OF THE PRESIDENT
OF THE PHILIPPINES
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 361, s. 1971

DESIGNATING THE DEPARTMENT OF AGRARIAN REFORM AS
TRUSTEE OF THE SPECIAL FUND FOR ASSISTANCE TO
THE PHILIPPINE LAND REFORM EDUCATION PROGRAM

WHEREAS, in an Exchange of Notes between the Government of the United States of America and the Republic of the Philippines, the former has made available to the latter Funds for Assistance to the Philippine Land Reform Education Program out of the Special Fund for Education, United States Public Law No. 88-94, known as the Land Reform Education Fund;

WHEREAS, it has been agreed between the two governments that the Land Reform Education Fund shall be established as a permanent Trust Fund, the income of which shall be used to finance the land reform education program in the Philippines;

WHEREAS, under the Agreement, the National Land Reform Council has been designated as the Trustee of the Fund; and

WHEREAS, the National Land Reform Council has been abolished under Republic Act No. 6389, otherwise known as the Code of Agrarian Reforms of the Philippines, and succeeded by the Department of Agrarian Reform under a Cabinet Secretary;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby designate the Department of Agrarian Reform, through the Secretary, as Trustee of the Land Reform Education Fund.

In this capacity, it shall perform the following functions, subject to the approval of the President;

1. Formulate the general policy for the Fund, and make decisions on the use of the Fund's income and capital gains, including final action on appropriation for grants and research projects;

2. Formulate and adopt an assistance program based on educational programs which have been set forth in the Agreement on the use of the Fund; extending preference to projects which are enduring or self-sustaining or which incorporate counterpart financial agreements;

3. Approve programs and projects to be undertaken by the Philippine Land Reform Center for Continuing Education which shall implement such programs and projects and authorize expenditures for such programs and projects out of the earnings of Fund;

4. Obtain professional counsel and services for the wise and prudent management of the Fund entrusted to it through an Investment and Financial Manager; and

5. Employ staff personnel, advisors and consultants to assist in the educational program planning and implementation.

Done in the City of Manila, this 24th day of December, in the year of Our Lord, nineteen hundred and seventy-one.

(Sgd.) FERDINAND E. MARCOS
President of the Philippines

By the President:

(Sgd.) ROBERTO V. REYES
Assistant Executive Secretary

MALACAÑANG
MANILA

EXECUTIVE ORDER NO. 364, s. 2004

**TRANSFORMING THE DEPARTMENT OF AGRARIAN REFORM
INTO THE DEPARTMENT OF LAND REFORM**

WHEREAS, one of the five reform packages of the Arroyo administration is Social Justice and Basic needs;

WHEREAS, one of the five anti-poverty measures for social justice is asset reform;

WHEREAS, asset reforms covers agrarian reform, urban land reform, and ancestral domain reform;

WHEREAS, urban land reform is a concern of the Presidential Commission on the Urban Poor (PCUP) and ancestral domain reform is a concern of the National Commission on Indigenous Peoples' (NCIP);

WHEREAS, another of the five reform packages of the Arroyo administration is Anti-Corruption and Good Government;

WHEREAS, one of the Good Government reforms of the Arroyo administration is rationalizing the bureaucracy by consolidating related functions into one department;

WHEREAS, under law and jurisprudence, the President of the Philippines has broad powers to reorganize the offices under her supervision and control;

NOW THEREFORE I, Gloria Macapagal-Arroyo, by the powers vested in me as President of the Republic of the Philippines, do hereby order:

SECTION 1. The Department of Agrarian Reform is hereby transformed into the Department of Land Reform. It shall be responsible for all land reform in the country, including agrarian reform, urban land reform, and ancestral domain reform.

SECTION 2. The PCUP is hereby placed under the supervision and control of the Department of Land Reform. The Chairman of the PCUP shall be ex-officio Undersecretary of the Department of Land Reform for Urban Land Reform.

SECTION 3. The NCIP is hereby placed under the supervision and control of the Department of Land Reform. The Chairman of the NCIP shall be ex-officio Undersecretary of the Department of Land Reform for Ancestral Domain Reform.

SECTION 4. The PCUP and the NCIP shall have access to the services provided by the Department's Finance, Management and Administrative Office; Policy, Planning and Legal Affairs Office, Field Operations and Support Services Office, and all other offices of the Department of Land Reform.

SECTION 5. All previous issuances that conflict with this Executive Order are hereby repealed or modified accordingly.

SECTION 6. This Executive Order takes effect immediately.

Manila, 27 September 2004

(Sgd.) GLORIA MACAPAGAL-ARROYO
President of the Philippines

By the President:

(Sgd.) EDUARDO R. ERMITA
Executive Secretary

EO 364 s. 2004 (sec. 3) was amended by EO 379 s. 2004.

MALACAÑAN PALACE
MANILA

EXECUTIVE ORDER NO. 379, s. 2004

AMENDING EXECUTIVE ORDER NO. 364 ENTITLED
TRANSFORMING THE DEPARTMENT OF AGRARIAN
REFORM INTO THE DEPARTMENT OF LAND REFORM

WHEREAS, Republic Act No. 8371 created the National Commission on Indigenous Peoples;

WHEREAS, pursuant to the Administrative Code of 1987, the President has the continuing authority to reorganize the administrative structure of the National Government.

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Republic of the Philippines, by virtue of the powers vested in me by the Constitution and existing laws, do hereby order:

SECTION 1. *Amending Section 3 of Executive Order No. 364.* Section 3 of Executive Order No. 364, dated September 27, 2004 shall now read as follows:

“Section 3. The National Commission on Indigenous Peoples (NCIP) shall be an attached agency of the Department of Land Reform.”

SEC. 2. *Compensation.* The Chairperson shall suffer no diminution in rank and salary.

SEC. 3. *Repealing Clause.* All executive issuances, rules and regulations or parts thereof which are inconsistent with this Executive Order are hereby revoked, amended or modified accordingly.

SEC. 4. *Effectivity.* This Executive Order shall take effect immediately.

City of Manila, 26 October 2004.

(Sgd.) GLORIA MACAPAGAL-ARROYO
President of the Philippines

By the President:

(Sgd.) EDUARDO R. ERMITA
Executive Secretary

MALACAÑANG
MANILA

EXECUTIVE ORDER NO. 405, s. 1990

VESTING IN THE LAND BANK OF THE PHILIPPINES THE PRIMARY RESPONSIBILITY TO DETERMINE THE LAND VALUATION AND COMPENSATION FOR ALL LANDS COVERED UNDER REPUBLIC ACT NO. 6657, KNOWN AS THE COMPREHENSIVE AGRARIAN REFORM LAW OF 1988

WHEREAS, Republic Act No. 6657, Chapter VI, provides in part that:

“SEC. 17. *Determination of Just Compensation.* — In determining just compensation, the cost of acquisition of the land, the current value of like properties, its nature, actual use and income, the sworn valuation by the owner, the tax declarations, and the assessment made by government assessors shall be considered. The social and economic benefits contributed by the farmers and the farm-workers and by the Government to the property as well as the nonpayment of taxes or loans secured from any government financing institution on the said land shall be considered as additional factors to determine its valuation.

SEC. 18. *Valuation and Mode of Compensation.* — The LBP shall compensate the landowner in such amount as may be agreed upon by the landowner and the DAR and the LBP, in accordance with the criteria provided for in Sections 16, and 17, and other pertinent provisions hereof, or as may be finally determined by the court, as the just compensation for the land.”

WHEREAS, the Land Bank of the Philippines employs commercial banking personnel whose professional expertise includes appraisal of agricultural properties for purposes of granting loans;

WHEREAS, the implementation of the Comprehensive Agrarian Reform Program, particularly on the matter of acquisition

and distribution of private agricultural lands, may be accelerated by streamlining certain administrative procedures in land valuation and compensation;

NOW, THEREFORE, I, CORAZON C. AQUINO, President of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. The Land Bank of the Philippines shall be primarily responsible for the determination of the land valuation and compensation for all private lands suitable for agriculture under either the Voluntary Offer to Sell (VOS) or Compulsory Acquisition (CA) arrangement as governed by Republic Act No. 6657. The Department of Agrarian Reform shall make use of the determination of the land valuation and compensation by the Land Bank of the Philippines, in the performance of its functions.

After effecting the transfer of titles from the landowner to the Republic of the Philippines, the Land Bank of the Philippines shall inform the Department of Agrarian Reform of such fact in order that the latter may proceed with the distribution of the lands to the qualified agrarian reform beneficiaries within the time specified by law.

SEC. 2. The Department of Agrarian Reform shall continue to perform its functions under Republic Act No. 6657, particularly in the identification of the priority landholdings for coverage under the Comprehensive Agrarian Reform Program.

SEC. 3. The Land Bank of the Philippines is hereby authorized to augment its manpower resources for the purpose of implementing this Executive Order.

SEC. 4. This Executive Order shall not be construed to diminish the rights and remedies of the landowners and agrarian reform beneficiaries under Republic Act No. 6657.

SEC. 5. This Executive Order shall take effect immediately.

DONE in the City of Manila, this 14th day of June, in the year of Our Lord, nineteen hundred and ninety.

(Sgd.) CORAZON C. AQUINO
President of the Philippines

By the President:

(Sgd.) CATALINO MACARAIG, JR.
Executive Secretary

MALACAÑANG
MANILA

EXECUTIVE ORDER NO. 406, s. 1990

MANDATING CERTAIN DEPARTMENTS AND AGENCIES TO ALIGN THEIR RESPECTIVE PROGRAMS AND PROJECTS WITH THE COMPREHENSIVE AGRARIAN REFORM PROGRAM, DIRECTING THE DEPARTMENT OF AGRARIAN REFORM TO ACCELERATE THE AGRARIAN REFORM BENEFICIARIES DEVELOPMENT THROUGH THE PROVISION OF ECONOMIC AND SOCIAL INFRASTRUCTURE SUPPORT, AND PROVIDING THE NECESSARY IMPLEMENTING MECHANISMS FOR THE PURPOSE

WHEREAS, the Comprehensive Agrarian Reform Program is central to the government's efforts to hasten countryside agro-industrial development;

WHEREAS, the Comprehensive Agrarian Reform Program, apart from accelerating land acquisition and distribution, equally mandates the beneficiaries development through the provision of physical, technical, social and economic support services;

WHEREAS, while the main responsibility for the implementation of the Comprehensive Agrarian Reform Program lies with the Department of Agrarian Reform, certain departments and agencies are expected to be equally involved and committed to the success of the said Program;

NOW, THEREFORE, I, CORAZON C. AQUINO, President of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. The Departments of Agriculture, Environment and Natural Resources, Public Works and Highways, Transportation and Communication, National Defense, Justice, Budget and

Management, and Trade and Industry, and Land Bank of the Philippines and Land Registration Authority are hereby mandated to review, evaluate and align their respective programs and projects with the end in view of integrating them into the major thrusts of the Comprehensive Agrarian Reform Program (CARP).

SEC. 2. There shall be an inter-agency CARP Implementing Team (Team) composed of the representatives of the aforementioned agencies and chaired by Department of Agrarian Reform representative at the national, regional, provincial and municipal levels, which shall have the following functions:

a. Undertake measures to promote, integrate and harmonize the working relationship between and among the participating government agencies, non-government organizations (NGOs) and the agrarian reform beneficiaries themselves;

b. Undertake measures to hasten the generation, development and execution of CARP programs and projects;

c. Undertake measures to consolidate and maximize the utilization of available resources of government for the program;

d. Recommend measures to improve, increase and accelerate the delivery capacity of agencies for the implementation of CARP program and projects;

e. Submit a monthly accomplishment report to the Secretary of Agrarian Reform.

The Team shall convene a meeting of its members within one (1) week from the effectivity of this Executive Order and every month thereafter.

At the provincial level, the Team shall serve as the implementing arm of the Provincial Agrarian Reform Coordinating Committee (PARCCOM).

SEC. 3. All the aforementioned agencies shall immediately issue the implementing guidelines to all their regional, provincial, municipal and barangay officials, if any, to insure program integration and accelerate the service delivery capacity of these field implementing units.

SEC. 4. The Department of Agrarian Reform shall adopt a strategic and area-focused operations approach to accelerate the Comprehensive Agrarian Reform Program implementation. It shall concentrate its land distribution and beneficiaries development activities in 24 identified Strategic Operation Provinces (SOPs) which account for 70 percent of the land distribution workload, i.e., Pangasinan, Kalinga Apayao, Ifugao, Isabela, Nueva Ecija, Pampanga, Batangas, Quezon, Mindoro Occidental, Sorsogon, Camarines Sur, Antique, Negros Occidental, Bohol, Negros Oriental, Leyte, Western Samar, Zamboanga del Sur, Bukidnon, Agusan del Sur, Lanao del Norte, South Cotabato, North Cotabato and Maguindanao, without prejudice to the implementation in the remaining provinces of the country.

SEC. 5. The Department of Agrarian Reform shall implement viable agrarian reform areas development pilot projects in the 24 SOPs particularly in the low income municipalities (LIMs) identified under the Pro-Poor Program of the government and in the aforesaid Department settlement areas. In subsequent years, replication of successful pilot projects may be undertaken in other provinces and low income municipalities. To support these pilot projects, the Bureau of Agrarian Reform Beneficiaries Development (BARBD) of the Department of Agrarian Reform shall intensify its beneficiaries training and social infrastructure building activities particularly in the areas of organizing, value formation, cooperatives development, capability building, enterprise development, social preparation and the like.

Project preparation activities for these areas shall be accelerated and shall supported by the Project Facilitation Committee under the Office of the President.

Fifteen (15) percent of the CARP 1990 budget (P1.3 billion out of the P8.9 billion) and in the succeeding years CARP budget as approved by the Presidential Agrarian Reform Council (PARC) shall be allocated, released to and administered by Department of Agrarian Reform for the promotion, development and organization of agrarian reform beneficiaries associations and cooperatives and the implementation of the agrarian reform areas development pilot projects. The same shall be taken out of the budget allocation of CARP agencies for extension infrastructure, research and development, database and other support services which will likewise be part of the essential components of the specific development projects.

To facilitate the implementation of development activities in the identified agrarian reform pilot projects, the Department of Agrarian Reform may call on the other Comprehensive Agrarian Reform Program implementing agencies, government financial institutions, government owned or controlled corporations and local government units to assist in the implementation of these projects. The Department of Agrarian Reform may also sub-contract various sub-components of the pilot projects to private organizations, private contractors, non-government organizations and the like to facilitate implementation.

SEC. 6. Heads of all other Comprehensive Agrarian Reform Program implementing agencies, and government financial institutions, government owned or controlled corporations, governors, mayors, barangay chairmen and other officials of local government units in the 24 SOPs shall provide support to the implementation of the agrarian reform development pilot projects in their respective areas.

SEC. 7. This Executive Order shall take effect immediately.

DONE in the City of Manila this 14th day of June, in the year of Our Lord, nineteen hundred and ninety.

(Sgd.) CORAZON C. AQUINO
President of the Philippines

By the President:

(Sgd.) CATALINO MACARAIG, JR.
Executive Secretary

MALACAÑANG
RESIDENCE OF THE PRESIDENT
OF THE PHILIPPINES
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 407, s. 1973

DELEGATING TO CERTAIN DISTRICT LAND OFFICERS THE
POWER TO SIGN PATENTS AND CERTIFICATES

Upon recommendation of the Secretary of Agriculture and Natural Resources, and pursuant to the power vested in me by Sectiob 107 of Commonwealth Act No. 141, as amended by Republic Act No. 6516, I, FERDINAND E. MARCOS, President of the Philippines, do hereby delegate to the incumbent District Land Officers of Land District No. 1-4, Laoag City, Land District No. II-1, Tuguegarao, Cagayan, Land District No. III-1, San Fernando, Pampanga, Land District No. III-4, Olongapo City, Land District No. IV-3, Lucena City, Land District No. V-1, Naga City, Land District No. VI-1, Iloilo City, Land District No. VII-1, Dumaguete City, Land District No. VIII-1, Tacloban City, Land District No. IX-1, Zamboanga City, Land District No. IX-2, Jolo Sulu, Land District No. X-1, Cagayan de Oro City, Land District No. X-7, Iligan City, Land District No. XI-2, Tagum, Davao del Norte and Land District No. XI-4, Koronadal, South Cotabato, the power to sign patents or certificates covering lands not exceeding five (5) hectares in area.

Done in the City of Manila, this 16th day of March, in the year of Our Lord, nineteen hundred and seventy-three.

(Sgd.) FERDINAND E. MARCOS
President of the Philippines

By the President:

(Sgd.) ALEJANDRO MELCHOR
Executive Secretary

MALACAÑANG
MANILA

EXECUTIVE ORDER NO. 407, s. 1990

**ACCELERATING THE ACQUISITION AND DISTRIBUTION OF
AGRICULTURAL LANDS, PASTURE LANDS, FISHPONDS,
AGRO-FORESTRY LANDS AND OTHER LANDS OF THE
PUBLIC DOMAIN SUITABLE FOR AGRICULTURE**

WHEREAS, Proclamation No. 131, S. of 1987, has instituted the Comprehensive Agrarian Reform Program to develop the full potential of Philippine agriculture that will result in increased productivity and better income for agrarian reform beneficiaries, and Executive Order No. 229, S. of 1987, has provided for the mechanisms for the implementation thereof;

WHEREAS, Republic Act No. 6657 has declared it a policy of the State to pursue the Comprehensive Agrarian Reform Program in order that the welfare of landless farmers and farmworkers will receive highest consideration and that the nation can move towards sound rural development and industrialization;

WHEREAS, Section 7 of Republic Act No. 6657 mandates, among others, that all lands foreclosed by government financial institutions, all lands acquired by the Presidential Commission on Good Government, and all other lands owned by the government devoted to or suitable for agriculture, shall be acquired and distributed immediately upon the effectivity of the said Act and with implementation to be completed within a period of not more than four (4) years therefrom;

WHEREAS, the government has in its inventory lands suitable for agriculture which may be immediately placed under the Comprehensive Agrarian Reform Program as the titles thereof have been foreclosed and the prescriptive redemption periods have already lapsed;

WHEREAS, the Departments of Agriculture, and Environment and Natural Resources are authorized by law to act on the disposition of leases covering lands of the public domain, i.e., agro-forestry lease agreements, pasture lease agreements and fishpond lease agreements;

WHEREAS, Executive Order No. 360, S. of 1989, enjoins all government financial institutions and government-owned or controlled corporations to grant the Department of Agrarian Reform the right of first refusal in the sale or disposition of all lands owned by them which are suitable for agriculture;

WHEREAS, the implementation of the Comprehensive Agrarian Reform Program particularly its land acquisition and distribution to qualified farmer-beneficiaries must be accelerated so that its fruits could be enjoyed by its beneficiaries at the soonest possible time;

NOW, THEREFORE, I, CORAZON C. AQUINO, President of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. All Government instrumentalities including but not limited to government agencies, government owned and controlled corporations or financial institutions such as the Development Bank of the Philippines, Philippine National Bank, Republic Planters Bank, Asset Privatization Trust, Presidential Commission on Good Government, Department of Agriculture, State Colleges and Universities, Department of National Defense, shall immediately execute Deeds of Transfer in favor of the Republic of the Philippines as represented by the Department of Agrarian Reform and surrender to the latter department all landholdings suitable for agriculture including all pertinent ownership documents in their custody, such as the owner's duplicate copy of the certificates of title, tax declarations and other documents necessary to effect the transfer of ownership. This Executive Order shall likewise apply to ownership of the following assets, as determined by the Department

of Agrarian Reform in close coordination with the concerned government agency:

- a. Improvements, e.g., irrigation systems, roads and bridges;
- b. Agriculture processing machineries, e.g., post-harvest facilities;
- c. Buildings and other physical structures, warehouses, administration buildings, employees' housing facilities;
- d. Others, such as trucks and tractors, tools and agricultural supplies.

In the case of lands suitable to agriculture with pending adjudication on their ownership in court, the respective government instrumentalities shall, when legally feasible, immediately transfer and cede the physical possession and control of the same to the Department of Agrarian Reform for its subsequent transfer to the qualified beneficiaries.

Pending valuation of the property, the Department of Agrarian Reform shall immediately commence the necessary activities for distribution to qualified beneficiaries upon receipt of the documents aforementioned, or issue the notice of allocation to qualified beneficiaries to give them usufructuary control over the land in the event ownership can not as yet be transferred to them.

Thirty (30) days from the registration of the ownership documents by the Register of Deeds in favor of the Department of Agrarian Reform, the Land Bank of the Philippines, pursuant to the rules approved by the Presidential Agrarian Reform Council, shall pay the government instrumentality the value of the land. In the case of the lands under the Asset Privatization Trust, Presidential Commission on Good Government and other government instrumentalities which may opt for an alternative payment scheme, the Department of Agrarian Reform shall cause the issuance of the Credit Memo Advise from the Bureau of Treasury for such sale.

Thirty (30) days after effectivity of this Executive Order, the Department of Finance and the Department of Budget and Management in consultation with the Department of Agrarian Reform shall establish guidelines for the issuance of the Credit Memo Advice System. This System shall be applicable as a payment scheme to government instrumentalities which are mandated to turn over the proceeds from the sale of their agricultural lands to the Agrarian Reform Fund pursuant to Section 63 of Republic Act No. 6657.

Sixty (60) days after the effectivity of this Executive Order, the Land Registration Authority shall submit to the Department of Agrarian Reform certified copies of all the certificates of titles under the name of the government instrumentality and the approved survey plans including the respective technical descriptions of each title.

SEC. 2. The Departments of Agriculture, and Environment and Natural Resources are hereby authorized and directed to cancel all lease agreements covering fishponds, pasture, agro-forestry lands and other lands of the public domain suitable to agriculture which have remained undeveloped within three (3) years from the date of the effectivity of the lease contract and underutilized or abandoned or in cases where the terms and conditions embodied therein have been violated, taking into consideration the requirements of due process.

SEC. 3. The Departments of Agriculture and Environment and Natural Resources, in coordination with the Department of Agrarian Reform, shall redistribute and award fishponds, pasture lands and other lands of the public domain suitable for agriculture subject of cancelled or amended lease agreement to qualified agrarian reform beneficiaries identified by the Department of Agrarian Reform pursuant to Sections 15 and 22 of Republic Act No. 6657.

SEC. 4. All concerned agencies shall issue the necessary directives and guidelines to all their national, regional, provincial

and municipal officials to ensure the implementation of this Executive Order.

SEC. 5. This Executive Order shall take effect immediately.

DONE in the City of Manila this 14th day of June, in the year of Our Lord, nineteen hundred and ninety.

(Sgd.) CORAZON C. AQUINO
President of the Philippines

By the President:

(Sgd.) CATALINO MACARAIG, JR.
Executive Secretary

EO 407 s. 1990 was amended by EO 448 s. 1991.
EO 407 s. 1990 was amended by EO 506 s. 1992.

MALACAÑANG
Manila

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 437, s. 1974

AMENDING THE COMPOSITION OF THE AGRARIAN REFORM
COORDINATING COUNCIL CREATED UNDER EXECUTIVE
ORDER NO. 347, SERIES OF 1971.

WHEREAS, the reorganization of the Department of Agriculture and Natural Resources into the Department of Agriculture and the Department of Natural Resources, has caused a change in the composition and membership of the Agrarian Reform Coordinating Council created under Executive Order No. 347, Series of 1971;

WHEREAS, the integrated approach to agrarian reform for tenurial improvement, physical, institutional and agricultural development requires the membership of other government agencies in the Council; and

WHEREAS, our country cannot now afford to slow down the implementation of the Agrarian Reform Program;

NOW, THEREFORE, in view of my earnest desire to implement fully and effectively the agrarian reform program as set forth in Presidential Decrees Nos. 2 and 27, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by the Constitution, do hereby amend the composition and membership of the Agrarian Reform Coordinating Council as created under Executive Order No. 347, Series of 1971, as follows:

Secretary Conrado F. Estrella	Chairman
Department of Agrarian Reform	
Secretary Juan Ponce-Enrile	Member
Department of National Defense	

Secretary Cesar Virata Department of Finance	Member
Secretary Vicente Abad Santos Department of Justice	Member
Secretary Arturo R. Tanco, Jr Department of Agriculture	Member
Secretary Jose S. Leido, Jr Department of Natural Resources	Member
Secretary David Consunji Department of Public Works, Transportation and Communication	Member
Secretary Jose A. Roño Department of Local Government and Community Development	Member
Secretary Baltazar Aquino Department of Public Highways	Member

The Council shall be convened as often as possible exercise its function of providing technical advice and assistance to the Department of Agrarian Reform and foster effective inter-departmental coordination and cooperation among agencies and institutions performing functions related to agrarian reform. The Chairman shall organize a Secretary to provide staff and clerical services to the Council.

Done in the City of Manila, this 16th day of November, in the year of Our Lord, nineteen hundred and seventy-four.

(Sgd.) FERDINAND E. MARCOS
President of the Philippines

By the President:

(Sgd.) ALEJANDRO MELCHOR
Executive Secretary

MALACAÑANG
MANILA

EXECUTIVE ORDER NO. 448, s. 1991

AMENDING EXECUTIVE ORDER NO. 407, SERIES OF 1990, ENTITLED “ACCELERATING THE ACQUISITION AND DISTRIBUTION OF AGRICULTURAL LANDS, PASTURE LANDS, FISHPONDS, AGRO-FORESTRY LANDS AND OTHER LANDS OF THE PUBLIC DOMAIN SUITABLE FOR AGRICULTURE”

WHEREAS, Executive Order No. 407, series of 1990, directs, among others, all government agencies and instrumentalities, including government-owned or controlled corporations to transfer ownership of all lands suitable for agriculture to the Department of Agrarian Reform for distribution under the Comprehensive Agrarian Reform Program;

WHEREAS, to further accelerate the acquisition and distribution of all lands of the public domain suitable for agriculture, it is necessary to include within the coverage of Executive Order No. 407, Series of 1990, all government reservations or portions thereof which are suitable for agriculture and no longer needed for the purposes for which the reservations are established;

NOW, THEREFORE, I, CORAZON C. AQUINO, President of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. Executive Order No. 407 is hereby amended by adding a new section to read as follows:

“Sec. 1-A. All lands or portions thereof reserved by virtue of Presidential proclamations for specific public uses by the government, its agencies and instrumentalities, including government-owned or controlled corporations suitable for agriculture and no longer actually, directly and exclusively used or necessary for the purposes

for which they have been reserved, as determined by the Department of Agrarian Reform in coordination with the government agency or instrumentality concerned in whose favor the reservation was established, shall be segregated from the reservation and transferred to the Department of Agrarian Reform for distribution to qualified beneficiaries under the Comprehensive Agrarian Reform Program.”

SEC. 2. All proclamations establishing such reservations and falling within the coverage of this Executive Order are hereby revoked, amended or modified accordingly.

SEC. 3. This Executive Order shall take effect immediately.

Done in the City of Manila, this 14th day of February, 1991 in the year of Our Lord, nineteen hundred and ninety-one.

(Sgd.) CORAZON C. AQUINO
President of the Philippines

By the President:

(Sgd.) OSCAR M. ORBOS
Executive Secretary

EO 448 s. 1991 amended EO 407 s. 1990.
EO 448 s. 1991 was amended by EO 506 s. 1992.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 456, s. 2005

RENAMING THE DEPARTMENT OF LAND REFORM BACK TO
DEPARTMENT OF AGRARIAN REFORM

WHEREAS, Executive Order No. 364 dated 27 September 2004 transformed the Department of Agrarian Reform into the Department of Land Reform;

WHEREAS, Republic Act No. 6657 otherwise known as the Comprehensive Agrarian Reform Law defines agrarian reform as the redistribution of lands, regardless of crops or fruits produced, to farmers and regular farm workers who are landless, irrespective of tenurial arrangement, to include the totality of factors and support services designed to lift the economic status of the beneficiaries and all other arrangements alternative to physical redistribution of lands, such as production or profit sharing, labor administration, and the distribution of shares of stocks, which will allow beneficiaries to receive a just share of the fruits of the lands they work;

WHEREAS, the Comprehensive Agrarian Reform Law goes beyond just land reform but includes the totality of all factors and support services designed to lift the economic status of the beneficiaries;

NOW, THEREFORE, I, GLORIA MACAPAGAL ARROYO, President of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. The Department of Land Reform is hereby renamed as the Department of Agrarian Reform.

SEC. 2. All orders, rules, regulations and issuances or parts thereof, which are inconsistent with this Executive Order are hereby repealed or modified accordingly.

SEC. 3. This Executive Order shall take effect immediately.

Done in the City of Manila, this 23rd day of August, in the Year of Our Lord, Two Thousand and Five.

(Sgd.) GLORIA MACAPAGAL-ARROYO
President of the Philippines

By the President:

(Sgd.) EDUARDO R. ERMITA
Executive Secretary

MALACAÑANG
MANILA

EXECUTIVE ORDER NO. 482, s. 1991

**DEVOLVING TO THE AUTONOMOUS REGIONAL GOVERNMENT
OF THE AUTONOMOUS REGION FOR MUSLIM MINDANAO
THE POWERS AND FUNCTIONS OF THE DEPARTMENT
OF AGRARIAN REFORM AND THE CONTROL AND
SUPERVISION OVER ITS OFFICES WITHIN THE REGION**

WHEREAS, Executive Order No. 229, series of 1987 and Proclamation No. 131 dated July 1987 provides for the institution of a comprehensive agrarian reform program which would be in pursuance of what was envisioned in Presidential Decree No. 27 that entailed the emancipation of tenants from the bondage with the soil;

WHEREAS, the Department of Agrarian Reform is mandated by law to be the principal agency responsible for implementing the Comprehensive Agrarian Reform Program (CARP), as provided for in Articles XII, XIII and XVIII of the 1987 Constitution;

WHEREAS, the Oversight Committee created under Republic Act No. 6734 (RA 6734) otherwise known as the Organic Act for the Autonomous Region in Muslim Mindanao recommends that the control and supervision of the offices of the Department of Agrarian Reform be placed under the Autonomous Regional Government;

NOW, THEREFORE, I, CORAZON C. AQUINO, President of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. Transfer of Powers and Functions. All powers and functions of the Department of Agrarian Reform under Section 5 of Executive Order No. 129-A and as enumerated hereunder are hereby transferred to the Autonomous Regional Government (ARG)

in the implementation of the CARP in the four (4) provinces covered by the ARMM:

a. Advise the President and the Presidential Agrarian Reform Council (PARC) on the promulgation of executive and administrative orders, other regulative issuances and legislative proposals designed to strengthen agrarian reform and protect the interest of the beneficiaries thereof;

b. Establish and promulgate operational policies, rules and regulations and priorities for agrarian reform implementation;

c. Coordinate program implementation with the Land Bank of the Philippines (LBP) and other relevant civilian and military government agencies mandated to support the agrarian reform program;

d. Acquire, administer, distribute, and develop agricultural lands for agrarian reform purposes;

e. Undertake surveys of lands covered by agrarian reform;

f. Issue emancipation patents to farmers and farmworkers covered by agrarian reform for both private and public lands and when necessary, make administrative corrections of the same;

g. Provide free legal service to agrarian reform beneficiaries and resolve agrarian conflicts and land tenure related problems as may be provided for by law;

h. Promote the organization and development of cooperatives and other associations of agrarian reform beneficiaries;

i. Conduct continuing education and promotion programs on agrarian reform for beneficiaries, landowners, government personnel, and the general public;

j. Institutionalize the participation of farmers, farmworkers, other beneficiaries, and agrarian reform advocates in agrarian reform policy formulation, program implementation, and evaluation;

k. Have exclusive authority to approve or disapprove conversion of agricultural lands for residential, commercial, industrial, and other land uses as may be provided for by law;

l. Call upon any government agency, including the Armed Forces of the Philippines (AFP), and non-government organizations to extend full support and cooperation to program implementation; and

m. Exercise such other powers and functions as may be provided for by law or directed by the President, to promote efficiency and effectiveness in the delivery of public services.

SEC. 2. Functions Retained. The adjudicatory functions of the Department of Agrarian Reform (DAR) shall be retained by the Department until a Regional Agrarian Reform Law (RARL) has been enacted by the Regional Assembly.

SEC. 3. Programs and Projects. All programs and projects of the Department of Agrarian Reform (DAR) being implemented within the Autonomous Region in Muslim Mindanao (ARMM) are hereby transferred to the Autonomous Regional Government (ARG) and these shall include Land Tenure Improvement; Program Beneficiaries Development; and delivery of support services.

The management of the Special Projects Areas and the projects administered by the Special Projects Office shall be turned over to the Autonomous Regional Government (ARG).

SEC. 4. Personnel. (1) All plantilla positions, filled or unfilled, assigned to the affected provincial DAR offices shall be transferred to the Autonomous Regional Government (ARG).

(2) All personnel holding these plantilla positions who are absorbed by the Autonomous Regional Government (ARG) shall retain their seniority rights, compensation and other benefits.

(3) For those affected provincial and municipal personnel who may opt for retention with the DAR, the Department may accommodate them depending on available plantilla positions in other DAR offices. Personnel who cannot be accommodated and those who refuse to transfer or be absorbed by the Autonomous Regional Government (ARG) have three (3) options outlined by the Civil Service Commission:

- a. Retirement, if eligible;
- b. Seek transfer to other offices; or
- c. Stay with the Autonomous Regional Government.

SEC. 5. Assets, Properties and Equipment. All assets, properties and equipment of the Department in the Autonomous Region shall be turned over to the Autonomous Regional Government (ARG). The turnover and complete inventory of such properties shall be done by the Provincial Agrarian Reform Offices, subject, however, to government accounting and auditing regulations.

SEC. 6. Budget. The budgetary allocation or the balance thereof for the four (4) provinces within the ARMM for CY 1991 as of the date of transfer shall be turned over to the Autonomous Regional Government (ARG).

Furthermore, the budget and funding of the Special Project Areas and the Special Projects Office shall be transferred to the Autonomous Regional Government (ARG).

SEC. 7. Date of Transfer. The Department of Agrarian Reform shall effect full transfer of all its functions and assets after six (6) months from the effectivity of this Executive Order or immediately upon the enactment of the Regional Agrarian Reform Law (RARL), whichever comes earlier.

During the six (6) months wherein the transfer shall be effected, there shall be the creation of a DAR-ARG Transition Committee which shall oversee the transfer and define the areas of cooperation and collaboration and the inventory and documentation of assets and manpower resources to the Autonomous Regional Government (ARG), subject to the Commission on Audit (COA) and the Civil Service Commission (CSC) regulations.

The DAR-ARG Transition Committee shall oversee the implementation of the Comprehensive Agrarian Reform Program (CARP). The Department shall, however, retain the final authority and responsibility over its offices during the transition period. The personnel who may be assigned by the Autonomous Regional Government (ARG) shall essentially take understudy roles, to be eventually, involved in the administration and operations of the DAR offices. The Autonomous Regional Government (ARG) shall assume full responsibility for the CARP implementation after the transition period.

SEC. 8. Separability Clause. If, for any reason, any part or provision of this Executive Order shall be held unconstitutional or invalid, any part or provision hereof which are not affected thereby shall continue to be in full force and effect.

SEC. 9. Effectivity. This Executive Order shall take effect fifteen (15) days following its publication in a national newspaper of general circulation and one (1) local newspaper of general circulation in the ARMM.

DONE, in the City of Manila, this 24th day of September, in the year of our Lord, nineteen hundred and ninety-one.

(Sgd.) CORAZON C. AQUINO
President of the Philippines

By the President:

(Sgd.) FRANKLIN M. DRILON
Executive Secretary

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 506, s. 1992

FURTHER AMENDING EXECUTIVE ORDER NO. 407, SERIES OF 1990, AMENDED BY EXECUTIVE ORDER NO. 448, SERIES OF 1991, “ACCELERATING THE ACQUISITION AND DISTRIBUTION OF AGRICULTURAL LANDS, PASTURE LANDS, FISHPONDS, AGROFORESTRY LANDS AND OTHER LANDS OF THE PUBLIC DOMAIN SUITABLE FOR AGRICULTURE”

WHEREAS, Executive Order No. 407, Series of 1990, directed, among others, all government-owned or controlled corporations to transfer ownership of all lands suitable for agriculture to the Department of Agrarian Reform Program;

WHEREAS, Executive Order No. 448, Series of 1991, amended Executive Order No. 407, Series of 1990, including within its coverage all government reservations or portions thereof, which are suitable for agriculture and no longer needed for the purpose for which they are established, to further accelerate the acquisition and distribution of all lands of the public domain suitable for agriculture;

WHEREAS, there is, at the same time, the need to conserve the biodiversity features and the life support system of the country, which are represented by areas of public domain inside protected areas;

WHEREAS, the preservation of these protected area is a must, considering that these sites contain examples of diverse, unique and important Philippine flora and fauna, which, if properly and effectively managed, will ensure the conservation of biological resources of the country;

WHEREAS, the Department of Environment and Natural Resources has an existing Integrated Protected Areas System Project concerned with determining what existing protected areas and those not yet established are qualified to be retained as a protected reserve under the National Integrated Protected Areas System;

NOW, THEREFORE, I, CORAZON C. AQUINO, President of the Philippines, by virtue of the power vested in me by law, do hereby order:

SECTION 1. Section 1.A. of Executive Order No. 407, Series of 1990, as amended by Executive Order No. 448, Series of 1991, is hereby further amended to read as follows:

“SECTION 1.A. Except national parks and other protected areas, all lands or portions of the public domain reserved by virtue of proclamation or law for specific purposes or uses by departments, bureaus, offices and agencies of the Government, which are suitable for agricultural and no longer actually, directly and exclusively used or necessary for the purpose for which they have been reserved as determined by the Department of Agrarian Reform in coordination with the government agency or instrumentality concerned in whose favor the reservation was established, shall be segregated from the reservations and transferred to the Department of Agrarian Reform for distribution to qualified beneficiaries under the Comprehensive Agrarian Reform Program.”

SEC. 2. A new section is hereby added to Executive Order No. 407, as amended, to read as follows:

“SECTION 1.B. All existing and proposed National Parks, Game Refuge and Bird Sanctuaries, Wildlife Reserves, Wilderness Areas and Other Protected Areas, including old growth or virgen forests, and all forests above 1,000 meters elevation or above 50 percent slope, are hereby excluded from the present segregation, acquisition and distribution procedures being conducted by the Department of Agrarian Reform until such time as these areas shall

have been identified, studied and determined to be either retained and reclassified under the National Integrated Protected Areas System of DENR or to be segregated for agricultural purposes.”

SEC. 3. All proclamations establishing such reservations and falling within the coverage of this Executive Order are hereby revoked, amended or modified accordingly.

SEC. 4. This Executive Order shall take effect immediately.

DONE in the City of Manila, this 18th day of February, in the year of Our Lord, nineteen hundred and ninety-two.

(Sgd.) CORAZON C. AQUINO

By the President:

(Sgd.) FRANKLIN M. DRILON
Executive Secretary

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 511, s. 1992

CREATING AN INTERIM INTER-AGENCY TASK FORCE TO
PROVIDE FOR PRIVATE SECTOR PARTICIPATION
IN THE ESTABLISHMENT OF AGRO-INDUSTRIAL
DEVELOPMENT AREAS

WHEREAS, there is an urgent need to integrate and replicate countryside development efforts in key Agro-Industrial Development Areas (AIDA) in order to implement the Countryside Agro-Industrial Development Strategy (CAIDS) as adopted by the government through Cabinet Resolution No. 39, series of 1989;

WHEREAS, it is the declared policy of the State to recognize the indispensable role of the private sector in national growth and development;

NOW, THEREFORE, I, CORAZON C. AQUINO, President of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. There shall be an interim Inter-Agency AIDA Task Force, hereinafter referred to as the Task Force, which is hereby authorized to provide for private sector participation in the establishment of Agro-Industrial Development Areas.

For this purpose, the Task Force shall be composed of:

Chairman	Chairman of the Coordinating Council on the Philippine Assistance Program
Co-Chairman	Secretary of Agriculture
Members	Secretary of Agrarian Reform

Secretary of Socio-Economic Planning
Secretary of Trade and Industry
Chairman of Development Bank of
the Philippines
President of the Land Bank of the Philippines

SEC. 2. The Task Force shall:

a) Identify and allot foreign and local sources of funding for the establishment of family farm schools, rural development centers or other capability building centers, which will continuously provide the necessary values formation, managerial and technical training, cooperative development, savings promotion and other capability building programs;

b) Contract with non-government organizations (NGOs) and other private entities that will establish and operate the family farm schools and rural development centers. Funds for the operating expenses of these institutions are to be generated by these NGOs from their agro-industrial enterprises and other income generating projects in the AIDA; and

c) Monitor, coordinate and facilitate the development efforts of all AIDA participants to ensure full and proper implementation of the objectives of the AIDA program.

SEC. 3. The Task Force may provide direct and indirect grants to NGOs for the establishment and operation of family farm schools and rural development centers from whichever funds that it can generate from local and foreign sources. It may also enter into such agreements or contracts, which it may deem appropriate to effect the herein given mandate as may be warranted by circumstances relating to the source and use of funds, land ownership, corporate character of the contracting parties and other relevant matters.

SEC. 4. The Secretary of Agriculture is hereby authorized to sign and execute, for and in behalf of the Task Force, agreements or

contracts extending grants or other forms of assistance entered into by the Task Force.

SEC. 5. A Task Force Secretariat to be jointly formed by the CCPAP and Department of Agriculture shall assist the Task Force in the performance of its duties and functions.

SEC. 6. The Task Force shall facilitate and coordinate with the private sector for the establishment of agro-industrial facilities.

SEC. 7. The Task Force shall be authorized to call upon any department, bureau, office, agency or any instrumentality of government for material and manpower assistance as may be necessary in implementing the AIDA program.

SEC. 8. All rights, duties, obligations, powers and functions of the Task Force shall be transferred to the Department of Agriculture, effective June 30, 1992, or soon thereafter at the discretion of the President.

SEC. 9. If any provision of this Order is declared unconstitutional or illegal, the other provisions hereof shall remain effective.

SEC. 10. All administrative issuances, orders, circulars, and memoranda inconsistent with this Order are hereby modified, amended or repealed accordingly.

SEC. 11. This Order shall take effect immediately.

DONE in the City of Manila, this 16th day of March, in the year of Our Lord, nineteen hundred and ninety-two.

(Sgd.) CORAZON C. AQUINO

By the President

(Sgd.) FRANKLIN M. DRILON
Executive Secretary

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 562, s. 2006

REINSTATING THE DEPARTMENT OF AGRARIAN REFORM,
DEPARTMENT OF THE INTERIOR AND LOCAL
GOVERNMENT AND DEPARTMENT OF HEALTH AS
MEMBERS OF THE REGIONAL DEVELOPMENT COUNCIL

WHEREAS, Executive Order No. 325, s. 1996, Reorganization of the Regional Development Councils (RDC), provides that Regional Directors of agencies represented in the NEDA Board shall be regular members of the RDC;

WHEREAS, Administrative Order 148, s. 2006, provides for the reconstitution of the NEDA Board which excluded the Department of Agrarian Reform (DAR), Department of the Interior and Local Government (DILG) and Department of Health (DOH);

WHEREAS, the membership of DAR, DILG and DOH are critical in the pursuit of socio-economic development across the regions and hence, they should remain members of the RDC;

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. The Regional Directors of DAR, DOH and DILG shall remain members of the RDC.

SEC. 2. All previous issuances inconsistent with the provisions of this Executive Order are hereby repealed or modified accordingly.

SEC. 3. This Executive Order shall take effect immediately.

DONE in the City of Manila, this 28th of August, in the year of Our Lord, Two Thousand and Six.

(Sgd.) GLORIA MACAPAGAL-ARROYO

By the President:

(Sgd.) EDUARDO R. ERMITA
Executive Secretary

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 659, s. 2007

IMPROVING THE NEGOTIABILITY AND ACCEPTABILITY OF
AGRARIAN REFORM BONDS

WHEREAS, Section 2, Chapter I of Republic Act No. 6657, otherwise known as the Comprehensive Agrarian Reform Law (CARL), as amended, provides, among others, that “The State shall provide incentives to landowners to invest the proceeds of the agrarian reform program to promote industrialization, employment and privatization of public sector enterprises. Financial instruments used as payment for lands shall contain features that shall enhance negotiability and acceptability in the marketplace”.

WHEREAS, Section 18 (4), Chapter VI, of the same law, allows the Land Bank of the Philippines (LBP) Bonds and/or Agrarian Reform (AR) Bonds as the financial instruments to be used for paying lands under the CARP up to the amount of their value and/or acquiring shares of stock of government financial institutions, and in paying for various taxes and fees to government;

WHEREAS, Executive Order No. 267, s. 1995, provides for the issuance of national government bonds known as Agrarian Reform Bonds which are negotiable at anytime and which AR Bonds replaced the LBP Bonds or land transfer payments under the agrarian reform program with the same features of the LBP Bonds;

WHEREAS, although a major feature of the AR Bonds is alignment of the market interest rate with the 91-day treasury bill, these bonds are not competitive with similar government securities like Small Denominated Treasury (SDT) Bonds, ERAP Bonds, and the Bankers Association of the Philippines (BAP)-sponsored issue of Pag-IBIG Bonds;

WHEREAS, complaints have been lodged by the affected landowners on the lack of acceptability of their bonds compared to other government bonds, and in the refusal of government entities to accept directly from landowners, AR Bonds at face value, but at a discounted price lessening the credibility of government bonds as instruments of indebtedness and further strengthening the resistance of landowners whose lands are sought to be taken and paid for with these government bonds.

WHEREAS, the aforementioned conditions also diminish the just compensation due the landowners when their landholdings are covered under the Comprehensive Agrarian Reform Program (CARP);

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. *National Government Guaranty.* — AR Bonds are deemed and considered as issued by the National Government. These bonds are the direct, unconditional and general obligation of the Republic of the Philippines.

SEC. 2. *Features of AR Bonds.* — AR Bonds shall have the following features:

a. Market interest rates aligned with 91-day treasury bill rates. Ten percent (10%) of the face value of the bonds shall mature every year thereafter from the date of issuance of the bond; Provided, that should a landowner choose to forego the cash portion, whether in full or in part, he shall be paid correspondingly in AR Bonds.

b. Transferability and negotiability. The AR Bonds may be used by the landowner, his successors-in-interest or his assigns.

SEC. 3. *Usage of AR Bonds.* — AR Bonds may be used by the landowner, his successor-in-interest or his assignees, up to the amount of their face value, for any of the following:

a. Acquisition of land or other real properties of the government, including assets under the Asset Privatization Program and other assets foreclosed by government financial institutions in the same province or region where the lands for which the bonds were paid are situated;

b. Acquisition of shares of stock of government-owned or controlled corporations or shares of stock owned by the government in private corporations;

c. Substitution for surety or bail bonds for the provisional release of accused persons, or for performance bonds;

d. Security for loans with any government financial institution, provided the proceeds of the loans shall be invested in an economic enterprise, preferably in a small and medium scale industry, in the same province or region as the land for which the bonds are paid;

e. Payment for various taxes and fees to the government, provided that the use of these bonds for these purposes shall be limited to a certain percentage of the outstanding balance of the financial instruments, and provided further, that the Presidential Agrarian Reform Council (PARC) shall determine the percentage mentioned above.

f. Payment for tuition fees of the immediate members of the family of the original bondholder in government universities, colleges, trade schools, and other institutions;

g. Payment of fees of the immediate members of the family of the original bondholder in government hospitals; and

h. Such other uses as the PARC may, from time to time, allow.

SEC. 4. Acceptance of AR Bonds as Payment

a. The portion of the 10-year AR Bond that has matured or will mature within the given year in which the tax liability shall

be paid or for such percentage of the outstanding balance of the bond as determined by the PARC under Sec. 18, (4) (v) of RA 6657 of the AR Bonds held by the landowner/taxpayer and/or successors-in-interest or assignees shall be accepted as payment for tariff and duties and the following internal revenue tax liabilities, but not limited to, except withholding tax for non-withholding or non-remittance of taxes withheld;

a.1 Income taxes;

a.2 Capital gains tax due from individual taxpayers;

a.3 Estate tax;

a.4 Donor's tax;

a.5 Value added tax (VAT);

a.6 Excise tax;

a.7 Other percentage taxes;

a.8 Deficiency tax assessment arising from tax investigations;

a.9 Surcharge, interest and penalties arising from late filling of returns and/or payment of taxes; and

a.10 Tax arrearages and penalties.

b. The 10-year AR Bonds can be used up to the amount of their face value by the landowner, in whose name the bonds were issued, as well as by his successors-in-interest or assignees, for the following:

b.1 Payment of real estate taxes, interest charges and penalties;

b.2 Payment of various fees, interest charges and penalties that may be assessed against private or government banks and other financial institutions by the Bangko Sentral ng Pilipinas and other government agencies in the course of their operation;

b.3 Acquiring shares of stock of government-owned and/or controlled corporations or shares of stock owned by the government in private corporations;

b.4 Security deposit of foreign corporations with the Securities and Exchange Commission (SEC); and

b.5 Performance bond of housing contractors with the Housing and Land Use Regulatory Board (HLURB).

c. AR Bonds shall be accepted as collateral for securing loans from government financial institutions but at a discounted value, subject to the condition that the proceeds of the loan are to be invested in an economic enterprise.

SEC. 5. *Eligibilities.* AR Bonds shall enjoy the same form of eligibilities granted to SDT Bonds, ERAP Bonds, BAP-sponsored Pag-IBIG Bonds and other government bonds that may be issued in the future. Such eligibilities include, among others, the following:

a. Capital reserve instruments for insurance companies and investment for Reserve funds for pre-need companies;

b. Performance and judicial bonds;

c. Reserve for trust duties;

d. Liquidity floor requirements for government funds or deposits;

e. Investments for small and medium enterprises (SME) funds; and

f. Compliance with Agri-Agra Law.

SEC. 6. *Assistance of Other Government Entities.* The assistance of the Department of Finance (DoF) and the Department of the Interior and Local Government (DILG) and other concerned government agencies is hereby enjoined to extend full support to the AR Bonds as mandated by law.

SEC. 7. *Implementing Guidelines.* The LBP shall issue the guidelines to implement the provisions of this Executive Order in coordination with concerned government agencies.

SEC. 8. *Administrative Sanctions.* Failure to follow the directives of this Executive Order within 30 days from effectivity thereof shall subject concerned officials to administrative sanctions pursuant to existing laws, rules and regulations.

SEC. 9. *Repealing Clause.* All Executive Orders, issuances, rules and regulations, or parts thereof, inconsistent with the provisions of this Executive Order are hereby repealed and/or modified accordingly.

SEC. 10. *Effectivity.* This Executive Order shall take effect immediately upon publication in a national newspaper of general circulation.

DONE in the City of Manila, this 11th day of September, in the year of Our Lord, Two Thousand and Seven.

(Sgd.) GLORIA MACAPAGAL-ARROYO

By the President:

(Sgd.) EDUARDO R. ERMITA
Executive Secretary

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 710, s. 2008

NATIONWIDE ADOPTION OF THE CORN-BASED
FARMER-SCIENTISTS RESEARCH, DEVELOPMENT
AND EXTENSION (RDE) TRAINING PROGRAM FOR
SUSTAINABLE AGRICULTURAL DEVELOPMENT TO
LIBERATE POOR FARMERS FROM THE BONDAGE OF
POVERTY AND HUNGER

WHEREAS, pursuant to the Philippine development objectives of enhancing the economy's global competitiveness and alleviating poverty and hunger, and consistent with the Administration's focus on agriculture as the engine of growth, the Medium Term Philippine Development Plan (MTPDP) 2004-2010 targets, among others, the development of at least two million hectares of new agribusiness lands for the creation of at least two million jobs;

WHEREAS the new agribusiness lands for development include the 280,250 hectares of new areas for corn production also covering those in the uplands where more than 20 million poor farmers are dependent on corn grits for food but do not have adequate supply of the grain even for their own consumption;

WHEREAS, there is a successful program known as the Corn-Based Farmer-Scientist Research, Development and Extension (RDE) Training Program (FSTP), an extension program that integrates agricultural research and development, which is designed to enable the poor farmers particularly those in the upland, to liberate themselves from poverty by growing multiple crops and livestock in their corn farms for increased incomes; and

WHEREAS, the FSTP program, which was first piloted in Argao, Cebu in 1994 and has expanded province-wide in Cebu, in

all six towns of Siquijor, some towns Negros Oriental and Leyte in the Visayas, San Jose, Occidental Mindoro in Luzon and Laak in Compostela Valley Province in Mindanao, has successfully demonstrated that small marginalized farmers can be empowered with scientific knowledge of farming to produce more than enough corn for food with a surplus for sale, along with their production of vegetables, fruits and livestock, resulting in farmers' increased income by more than 100 percent, and thereby benefiting not only their families but also their communities and local governments.

NOW, THEREFORE I, GLORIA MACAPAGAL-ARROYO, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order that the Corn-Based Farmer-Scientists RDE Training Program be adopted throughout the country as a National Program jointly implemented by Department of Agriculture (DA), Department of Agrarian Reform (DAR), Department of Environment and Natural Resources (DENR), Department of Science and Technology (DOST), Department of Interior and Local Government (DILG), University of the Philippines at Los Baños (UPLB), state universities and colleges (SUCs) and other concerned agencies; and funded by the Department of Agriculture (DA), Department of Agrarian Reform (DAR), Department of Environment and Natural Resource (DENR), and the University of the Philippines at Los Baños (UPLB) through funding assistance in kind.

SECTION 1. Scope and Coverage. The FSTP shall cover all upland areas where most farmers, who grow corn and other crops for food, are still living in poverty and hunger. Priority are those farmers living in 6th, 5th and 4th class municipalities particularly the municipalities in the ten priority provinces under the Hunger Mitigation Program.

SEC. 2. Institutional Arrangements. For the operation and implementation of FSTP, following shall be the arrangements between and among concerned national government agencies, the University of the Philippines at Los Baños (UPLB), concerned State Universities and Colleges (SUCs), and the Heads of various LGU

leagues such as the League of Province, League of Cities, League of Municipalities and Liga ng mga Barangay:

2.1 National Government Agencies (NGA). The DA shall take the lead in the implementation of the program in partnership with DAR, DENR, DOST, DILG, SUCs, LGUs, and NGOs. The DA's Agriculture and Training Institute shall take charge of the training of the Municipal Agricultural Officers and extension workers of the Local Government Units including the farmers. There shall be coordinators at DA-RFUs level to serve as Regional Secretariat. Following are the detailed duties and responsibilities of the NGAs:

2.1.1 DA

- a. Institutionalize, through the Agricultural Training Institute (ATI), the FSTP as one of its extension approaches and ensure its successful Implementation down to its intended beneficiaries;
- b. Include in its annual budget proposal, separate funding for the FSTP implementation through the ATI;
- c. Call on all national and local agencies for technical, policy, information, resource assistance and support;
- d. Initiate and conduct national and regional discussions and consultations relative to the objectives, policies and program of action for the implementation of FSTP throughout the country;
- e. Initiate and enhance partnerships with private sectors, donor agencies and other external bodies;
- f. Ensure that FSTP implementation at the grassroots will be a joint undertaking between the national government through ATI and the local government units (LGUs) through a cost sharing scheme;

- g. Facilitate the transfer of farming technologies developed by DA-BAR and other R&D agencies to the FSTP beneficiaries;
- h. Provide marketing and packaging assistance for farm products developed by trained farmers.
- i. Designate regional staff to serve as coordinators and Regional Secretariat.

2.1.2 DOST

- a. Provide technical and financial support for R&D and technology transfer through the development of appropriate production technologies and extension modalities to be used by LGUs and their farmer-clientele;
- b. Accept R&D proposals which will go through a specific evaluation and approval process on a competitive basis.
- c. Provide technical assistance in the conduct of capability building and enhancement of FSTP implementation in the program areas;
- d. Link the Techno Gabay Program through the Farmers Information and Technology Services (FITS) Centers with the FSTP; and
- e. Through its regional offices, appoint R&D Coordinators for FSTP at the local level.

2.1.3 DAR

- a. Assist in the identification of corn areas;
- b. Provide technical and financial assistance in the conduct of capability building and enhancement programs for the beneficiaries;

c. Assist the program beneficiaries in the commercialization and marketing of corn products; and

d. Assist in the organizational strengthening of cooperatives.

2.1.4 DENR

a. Call upon all national and local agencies for technical, policy, information and resource assistance and support;

b. Initiate and conduct national and regional discussions and consultations relating to policies, objectives and programs of actions for sustainable upland development;

c. Review and translate specific recommendations into operational guidelines of national concern, programs and initiatives, key areas and themes in coordination with national and local agencies for sustainable upland development;

d. Initiate and enhance partnership and coordination with private sector groups, donor agencies and other relevant external bodies;

e. Provide assistance to the program beneficiaries in the packaging and marketing of products derived from the project areas including resource mobilization; and

f. Submit regular reports and updates to the Office of the President and other relevant agencies

2.1.5 DILG

a. Issue Memorandum Circular on the nationwide promotion of the Farmers-Scientist Training Program (FSTP) at the local level;

b. Ensure proper coordination with the concerned local government units (LGUs) in the implementation of FSTP; and

c. Provide technical assistance to the FSTP model LGUs in the documentation of their success stories for social marketing and replication using the GO-FAR documentation template.

d. Capacitate the model LGUs on the mechanics of the conduct of the Replication Inception Workshop

2.1.6 CHED-SUCs

a. Assist in the coordination and implementation of the program in their areas of responsibility as defined in the FSTP Manual of Operation and Management;

b. Provide resource persons/experts to deliver lectures/demonstrations on topics related to the program;

c. Provide support funds from their R & D and Extension units/programs; and

d. Direct SUCs to adopt FSTP in their agricultural extension program.

2.2 University of the Philippines Los Baños (UPLB). The UPLB, through the College of Forestry and Natural Resources shall facilitate the enhancement of science and extension curricula of FSTP in upland development while the UPLB, through the College of Agriculture shall:

a. Act as the FSTP National Center for Operation and Management, which shall be based at the Agricultural Systems Cluster's office;

b. Assist in the training of FSTP Coordinators from the national down to regional and provincial levels;

c. Provide technical expertise, and determine and exercise quality control of technologies adopted and applied by the program and support staff to enhance the operation of FSTP nationwide;

d. Assist in the transfer of farming technologies developed by UPLB through R & D projects like newly developed com (OPVs/ hybrids), high yielding seeds of fruits and vegetables, new organic fertilizers and other technologies;

e. Assist in the monitoring and evaluation of the accomplishments of the program; and

f. Tap the support of other colleges/institutes/centers at the local level with technologies/expertise needed by FSTP.

SEC. 3. Participation of the Local Government Units. The Local Government Units (LGUs) identified as program target areas, are encouraged to: 1) pass a resolution adopting the FSTP as a support strategy for agricultural and economic development through their Local Sangunian; 2) conduct massive information campaign on the program at the barangay level through their respective Provincial, City and Municipal Agriculturists; 3) provide support in the packaging and marketing of the products of their trained farmers through agro-trade fairs and similar activities for which the needed resources may be taken from their annual allocation for agriculture development; 4) as participating LGUs at the provincial and municipal levels, designate FSTP coordinators who shall comprise the FSTP Management Team of the province; and, 5) As model LGUs, organize the FSTP Management Team to be responsible in the conduct of Replication Inception Workshop.

SEC. 4. Funding. Funds needed to carry out the provisions of this Executive Order shall be sourced from and made part of the regular budget of the key agencies involved like DA, DAR, and DENR. They shall provide not less than 2 percent of their annual budget allocated for RDE Programs for FSTP Operation. The said amount shall be remitted to the FSTP National Center for the operation and management at the UPLB College of Agriculture, through an appropriate legal instrument such as a Memorandum of Agreement, and shall be deposited in a government bank at Los Baños, Laguna (MOA). UPLB shall also provide at least P1M

funding assistance in kind (manpower, facilities, etc.) annually for FSTP operation.

DA as the lead agency shall provide a supplemental budget of at least P200,000.00 annually to each participating province and municipality involved in the program as counterpart fund to start and sustain the operation of FSTP.

Fund utilization/disbursements by any and all concerned agencies shall be subject to the usual accounting and auditing rules and regulations.

SEC. 5. Separability Clause. Any portion or provision of this Executive Order that may be declared by competent courts as unconstitutional shall not have the effect of nullifying other provisions hereof, as long as such remaining provisions can still subsist and be given effect in their entirety.

SEC. 6. Repealing Clause. All rules and regulations, other issuance or parts thereof, which are inconsistent with this Executive Order, are hereby repealed or modified accordingly.

SEC. 7. Effectivity Clause. The Executive Order shall take effect fifteen (15) days after its publication in a national newspaper of general circulation.

DONE in the city of Manila, this 27th day of February in the year of our Lord, Two Thousand and Eight.

(Sgd.) GLORIA MACAPAGAL-ARROYO
President

By the President:

(Sgd.) EDUARDO R. ERMITA
Executive Secretary

OFFICE OF THE PRESIDENT
OF THE PHILIPPINES
MALACAÑANG

EXECUTIVE ORDER NO. 726, s. 2008

**TRANSFERRING THE NATIONAL COMMISSION ON
INDIGENOUS PEOPLES FROM THE DEPARTMENT
OF AGRARIAN REFORM TO THE DEPARTMENT OF
ENVIRONMENT AND NATURAL RESOURCES**

WHEREAS, it is the duty of the State to protect the rights of indigenous cultural communities and indigenous peoples to their ancestral domains to ensure their economic, social and cultural well being and to recognize the applicability of customary laws governing property rights of relations in determining the ownership and extent of ancestral domain;

WHEREAS, the State recognizes, respects and protects the rights of indigenous cultural communities and indigenous peoples to preserve and develop their cultures, traditions and institutions;

WHEREAS, National Commission On Indigenous Peoples was created by Republic Act No. 8371 entitled AN ACT TO RECOGNIZE, PROTECT AND PROMOTE THE RIGHTS OF INDIGENOUS CULTURAL COMMUNITIES/ INDIGENOUS PEOPLES, CREATING THE NATIONAL COMMISSION ON INDIGENOUS PEOPLES, ESTABLISHING IMPLEMENTING MECHANISMS, APPROPRIATING FUNDS THEREFOR, AND FOR OTHER PURPOSES;

WHEREAS, the National Commission on Indigenous Peoples was placed under the Department of Agrarian Reform by Executive Order No. 364 entitled TRANSFORMING THE DEPARTMENT OF AGRARIAN REFORM INTO THE DEPARTMENT OF LAND REFORM on September 27, 2004;

WHEREAS, there is a continuing need to remain vigilant in protecting the rights and guaranteeing the respect for the cultural integrity of indigenous cultural communities and indigenous peoples, and ensuring that all members of indigenous cultural communities and indigenous peoples benefit on an equal footing from the rights and opportunities which national laws and regulations grant to other members of the population;

WHEREAS, the Department of Environment and Natural Resources is mandated to be the primary agency responsible for the conservation, management, development, and proper use of the country's environment and natural resources and one of its objectives is to conserve specific terrestrial and marine areas representative of the Philippine natural and cultural heritage for present and future generations and one of its powers is the preservation of cultural and natural heritage through wildlife conservation and segregation of national parks and other protected areas;

WHEREAS, Section 17, Article VII of the Constitution provides that the President shall have control of all executive departments, bureaus and offices and shall ensure that all laws be faithfully executed;

WHEREAS, paragraph 2, Section 31, Chapter 10, Title III, Book III of Executive Order No. 292 grants the President the continuing authority to reorganize the administrative structure of the Office of the President and the power to transfer any function under the Office of the President to any other Department;

NOW, THEREFORE, I, GLORIA-MACAPAGAL-ARROYO, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. Placement under the Department of Environment and Natural Resources. The National Commission on Indigenous Peoples is hereby placed under the Department of Environment and Natural Resources

SEC. 2. Effectivity. This Executive Order shall take effect immediately.

DONE in the City of Manila, this 23rd day of May, in the year of Our Lord, Two Thousand and Eight.

(Sgd.) GLORIA MACAPAGAL-ARROYO

By the President:

(Sgd.) EDUARDO R. ERMITA
Executive Secretary

MALACAÑANG
MANILA
BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 754, s. 1981

AMENDING EXECUTIVE ORDERS NO. 183 CREATING THE
NATIONAL FOOD AND AGRICULTURE COUNCIL (NFAC),
AS AMENDED BY EXECUTIVE ORDER NO. 596

WHEREAS, the National Food and Agriculture Council (NFAC) was created by virtue of Executive Order No. 183, dated May 6, 1969, vested with the sole authority and responsibility to coordinate, supervise and integrate all programs of all agencies of the national government concerning the production, stabilization, distribution, and marketing of rice, corn, and other prime food commodities;

WHEREAS, NFAC has proven to be an effective machinery for mobilizing the resources of the government and private sector towards achieving rice self-sufficiency and establishing coordination in food and agricultural development;

WHEREAS, in the light of the tight world food situation and increased oil prices, there is an urgent need for NFAC to intensify and expand and pursue other food and agricultural thrusts and strategies;

WHEREAS, there is a need to expand the scope, jurisdiction and authority of NFAC to further empower it to administer the expanded functions and activities and strengthen its coordinating capabilities;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Republic of the Philippines, by virtue of the powers vested in me by law, and pursuant to Executive Order No. 183, which is hereby amended, do hereby strengthen the NFAC.

SECTION 1 – The NFAC which shall be charged with coordinating, supervising, and integrating programs in food production shall have the following functions and powers:

- a. Define the goals and scope of the country's food policies, programs and plans on a continuing basis;
- b. Develop long and short range food development programs based on a multi-disciplinary, inter-agency, and systems approach for the various food commodities;
- c. Establish system of priorities for food production having linkages with the research, nutrition, marketing, processing, and financing sectors;
- d. Provide for a systematic program for the transfer of technology and the development of agricultural extension workers as charge agents;
- e. Provide a mechanism for assessment of progress and adjustments in the implementation of food programs;
- f. Provide for the appropriate incentives/grants to encourage its highly qualified employees to continue serving their respective areas of responsibilities;
- g. Draw from and negotiate for funds, not otherwise specifically allocated in the National Budget, and all other possible fund sources, for the establishment of sufficient fund resources to support the food self-sufficiency programs;
- h. Supervise, coordinate and evaluate the activities and accomplishments of all agencies of the government charged with the prosecution of the different aspects of the food self-sufficiency program. Accordingly, it shall coordinate the release of public funds in accordance with approved programs and projects in food;

i. It shall have the power and authority to call on any ministry, bureau, office, agency and other instrumentalities of the government for assistance in the form of personnel, facilities and other resources as the need arises, during the discharge of its functions;

j. It shall perform other functions as may be necessary to attain the objectives of the national food self-sufficiency program and shall discharge such other duties as the President may direct;

k. It shall have the authority to create National Management Committees that shall supervise, coordinate and manage national food programs.

SEC. 2 – The Council shall be composed of the following officials or duly-accredited representatives:

1. The Minister, Ministry of Agriculture-Chairman-Coordinator
2. The Minister, Ministry of Agrarian Reform
3. The Minister, Ministry of Local Government and Community Development
4. The Administrator, National Food Authority
5. The Minister, Ministry of the Budget
6. The Minister, Office of Media Affairs
7. The Minister, Ministry of Natural Resources
8. The Governor, Central Bank of the Philippines
9. The Chancellor, University of the Philippines at Los Baños

10. The Director-General, Philippine Council for Agriculture and Resources Research
11. The President, Philippine National Bank
12. The President, Land Bank of the Philippines
13. The Chairman, Development Bank of the Philippines
14. The Administrator, National Irrigation Administration
15. The Administrator, Agricultural Credit Administration
16. The Administrator, Farm Systems Development Corporation
17. The Administrator, Fertilizer and Pesticide Authority
18. The Executive Director, National Nutrition Council
19. The President, Philippine Crop Insurance Corporation
20. The President, Agrarian Reform Beneficiaries Association
21. The President, Federation of Agrarian and Industrial Toiling Hands, Inc./HUKBALAHAP Veterans Association
22. The President, Federation of Farmers Associations of the Philippines
23. The President, Federation of Free Farmers
24. The President, Federation of Land Reform Farmers
25. The President, Katipunan ng mga Magsasaka sa Pilipinas
26. The President, Pambansang Katipunan ng mga Samahang Nayon ng Pilipinas

SEC. 3 – Officers of the Council. —

The Chairman-Coordinator shall have the power and responsibility of administering, directing and managing the implementation of the policies and programs of the Council.

An Executive Director and Deputy Executive Director shall be appointed by the Council. They shall implement the policies, programs, projects and decisions of the Council as well as prepare an organizational plan and plantilla of personnel subject to the approval of the Council.

One or more Assistant Executive Directors may be appointed by the Council and shall assist the Executive Director/Deputy Executive Director in the performance of his duties or take charge of special projects assigned to them.

The Council shall hire such other personnel as may be necessary for the performance of its basic functions. The salaries and other prerequisites of technical and professional staff and such other positions as the Council may declare to be highly technical, policy determining or primarily confidential shall be determined and fixed by the Council. All other positions shall be subject to Civil Service rules and regulations and the Wages and Position Classifications Office: Provided, That all personnel shall be entitled to the benefits and privileges normally accorded to government employees, such as retirement, GSIS insurance, leave and similar privileges; PROVIDED further, That in appointment and promotion of employees, merit and efficiency shall serve as basis, and no political test or qualification shall be prescribed and considered for such appointments and promotions.

All laws, decrees, orders, rules and regulations inconsistent herewith are hereby repealed and/or modified accordingly.

Done in the City of Manila, this 16th day of December, in the year of Our Lord, Nineteen Hundred and Eighty-One.

(Sgd.) FERDINAND E. MARCOS
President of the Philippines

By the President:

(Sgd.) JUAN C. TUVERA
Presidential Executive Assistant

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 1035, s. 1985

PROVIDING THE PROCEDURES AND GUIDELINES FOR THE
EXPEDITIOUS ACQUISITION BY THE GOVERNMENT
OF PRIVATE REAL PROPERTIES OR RIGHTS THEREON
FOR INFRASTRUCTURE AND OTHER GOVERNMENT
DEVELOPMENT PROJECTS

WHEREAS, one of the major causes of delays in the implementation of development projects, particularly national infrastructure projects, has been the processing of acquisitions of private properties or rights-of-way (ROW) thereon which are needed for said projects, and the settlement of claims for payment thereof;

WHEREAS, such property or ROW acquisitions are being hampered by several problems such as refusal of land owners/tenants to allow government personnel to enter the property during parcellary surveys, refusal of owners to sell because of cultural/personal value attached to the property, difficulties encountered by land owners in complying with existing rigid governmental requirements for payment of claims, and delays in issuance of court orders in expropriation cases;

WHEREAS, the delays in the implementation of development projects due to the aforementioned problems on property/ROW acquisitions have been causing a big drain on the government's financial resources in view of increased project costs specifically in terms of commitment fees on undrawn balance of foreign loans and price escalation;

WHEREAS, there is an urgent need to amend existing rules and regulations, as well as to adopt new procedures and guidelines in order to expedite the acquisition of private property or rights

thereon needed for infrastructure and other development projects of the government;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Republic of the Philippines, by virtue of the powers vested in me by the Constitution, do hereby order and direct as follows:

SECTION 1. *Scope and Applicability.*—The provisions of this Executive Order shall govern all acquisitions of private real properties or rights-of-way (ROW) thereon needed for infrastructure projects and other development projects of the government which are undertaken by any ministry, agency, office or instrumentality of the government, including government-owned or controlled corporations and state colleges and universities.

TITLE A

Activities Preparatory to Acquisition of Property

SEC. 2. *Feasibility Studies.*—Feasibility studies shall be undertaken for all major projects, and such studies shall, in addition to the usual technical, economic and operational aspects, include the social, political, cultural and environmental impact of the project.

SEC. 3. *Information Campaign.*—Every agency, office and instrumentality of the government proposing to implement a development project which requires the acquisition of private real property or rights thereon shall first make consultations with the local government officials, including the regional development councils having jurisdiction over the area where the project will be undertaken to elicit their support and assistance for the smooth implementation of the project. The implementing agency/instrumentality concerned with the assistance of the local government officials and representatives of the Office of Media Affairs shall conduct an extensive public information campaign among the local inhabitants that will be affected by the project to acquaint them with the objectives and benefits to be derived from the project and thus avoid any resistance to or objection against the acquisition of the property for the project.

SEC. 4. *Detailed Engineering/Surveys.*—The implementing government agency/instrumentality concerned shall, well in advance of the scheduled construction of the project, undertake detailed engineering, including parcellary surveys to indicate the location and size of the sites and to determine ownership of the land to be acquired, including the status of such land ownership.

SEC. 5. *Project Cost/Funding.*—The estimated cost of a project shall have the following distinct components:

a. Pre-investment cost which shall include the cost of undertaking the feasibility study and public information campaign;

b. Investment cost which shall include the cost of detailed engineering, cost of the property to be acquired and cost of construction and construction supervision.

The programming and budgeting of funds for the pre-investment and pre-construction phases, carried out in that order, shall be undertaken well in advance of the scheduled commencement of construction. The implementing agency/instrumentality concerned shall include in their respective proposals for annual budgetary outlays provisions to finance these preparatory activities and the Office of Budget and Management (OBM) shall consider such proposals in the light of the foregoing. In the case of the infrastructure ministries, the necessary outlays for each phase of the pre-implementation activities shall be made a distinct component of the annual infrastructure program which shall be released by the OMB as scheduled.

TITLE B

Procedure for Acquisition of Property

SEC. 6. *Acquisition Through Negotiated Sale.*—As an initial step, the government implementing agency/instrumentality concerned shall negotiate with the owner of the land that is needed for the project for the purchase of said land, including improvements thereon. In the determination of the purchase price to be paid, the

Ministry of Finance and the Provincial/City/Municipal Assessors shall extend full assistance and coordinate with the personnel of the government implementing agency concerned in the valuation of lands and improvements thereon taking into consideration the current and fair market value declared by the owner or administrator of the land, or such current market value as determined by the assessor, whichever is lower, prior to the negotiation.

SEC. 7. *Expropriation.*—If the parties fail to agree in negotiation of the sale of the land as provided in the preceding section, the government implementing agency/instrumentality concerned shall have authority to immediately institute expropriation proceedings through the Office of the Solicitor General or the Government Corporate Counsel, as the case may be. The just compensation to be paid for the property acquired through expropriation shall be in accordance with the provisions of P.D. No. 1533. Courts shall give priority to the adjudication of cases on expropriation and shall immediately issue the necessary writ of possession upon deposit by the government implementing agency/instrumentality concerned of an amount equivalent to ten per cent (10%) of the amount of just compensation provided under P.D. No. 1533; *Provided*, That the period within which said writ of possession shall be issued shall in no case extend beyond five (5) days from the date such deposit was made.

SEC. 8. *Conditions Precedent to Foreign Loan Negotiation.*—As a general rule, negotiations for foreign loans to finance specific construction projects and other projects requiring acquisition of private real property or rights thereon shall be undertaken only after the negotiation for such acquisition with the property owner/s have been completed or the expropriation proceedings have been initiated: *Provided*, That before the filing of expropriation proceedings, the financing institution must have already favorably appraised the project: *Provided, further*, That exceptions to the above rule may be allowed by the Investment Coordination Committee (ICC) on a case-to-case basis depending on the type, size and technology of the project involved. In such case, the ICC shall determine the extent/stage of property acquisition that may be required as a pre-condition

for project approval or for negotiation of a foreign loan to finance the project.

TITLE C

Procedure for Payment and Registration of Property Row Acquisitions

SEC. 9. *Assessment of Taxes Due.*—The Bureau of Internal Revenue and the respective Provincial/City/Municipal Treasurers shall assess the following taxes, where applicable, on the property being acquired:

- a) Capital gains tax due on the gains derived from the sale of the real property to the government;
- b) Estate tax due on the portion of the estate of a deceased owner to be acquired by the government; and
- c) Unpaid real estate taxes on the property up to the time the government took possession thereof.

Such assessment shall be made and transmitted to the government implementing agency/instrumentality concerned within one (1) week from the submission of complete requirements.

SEC. 10. *Withholding Tax/Tax Clearance.*—Upon receipt of the assessment of the aforementioned taxes, the government implementing agency/instrumentality concerned shall issue a certification that upon payment to the landowner, it shall deduct the corresponding capital gains tax and any unpaid estate tax and real estate tax.

On the basis of such certification, the BIR and the respective Provincial/City/Municipal Treasurers shall issue the tax clearances for the registration of the property in favor of the government implementing agency/instrumentality concerned.

All taxes deducted shall be immediately remitted by the government implementing agency/instrumentality concerned to the BIR or the Provincial/City/Municipal Treasurer, as the case may be.

SEC. 11. *Payment for Improvements on the Property Acquired.*—Payments for the improvements on property acquired which are not included in the respective tax declaration of the owner, shall be based on the physical inventory report prepared and certified to by the representatives of the agency, the Commission on Audit, and the claimant. In addition thereto, claims for payment of improvements must be supported by an affidavit of the claimant and affidavit of two (2) adjoining land owners or barangay officials attesting to or substantiating the ownership of said improvements.

SEC. 12. *Indemnity Bond for Untitled Lands.*—In case where the property acquired is untitled, the government implementing agency/instrumentality concerned shall require the land owner to post an indemnity or property bond, the amount of which shall be fixed by the Provincial/City/Municipal Treasurer concerned on the basis of the market value as determined by the assessor and as appearing on the current tax declaration of the property. This requirement shall be dispensed with where the claim for payment does not exceed P50,000.

SEC. 13. *Period for Payment.*—The payment of property acquired shall be effected by the implementing government agency/instrumentality concerned within ninety (90) days upon approval by appropriate higher authorities of the negotiated sale and submission by the land owner of all required documents. In the case of property acquired through expropriation, payment shall be effected within ninety (90) days from the finality of the decision rendered by the court: Provided, That if at the time of finality of the decision the funds originally allotted to cover the cost of the property are no longer available due to expiration of the pertinent release instruments, payment shall be made upon the release of funds by the OBM which is hereby directed to effect the immediate release thereof, chargeable against available and applicable appropriations thereof.

SEC. 14. *Properties Covered by Operation Land Transfer.*—In case the land acquired is covered by the Operation Land Transfer of the Ministry of Agrarian Reform under P.D. No. 27, payment of the purchase price shall be made by the implementing agency/instrumentality concerned to the farmer-beneficiary owning such land by virtue of an emancipation patent issued by the Ministry of Agrarian Reform, free from all liens and encumbrances. If the land is not covered by an emancipation patent, or even if covered by an emancipation patent but the farmer-beneficiary is still amortizing the same with the Land Bank, payment shall be made by the government implementing agency/instrumentality to the land owner, or the Land Bank, as the case may be: *Provided*, That any amortization payments made by the farmer-beneficiary to the land owner, or the Land Bank, as the case may be, shall be deducted by the government implementing agency/instrumentality from the purchase price and shall be paid to the farmer-beneficiary: *Provided, further*, That the farmer-beneficiary shall be entitled to the financial assistance provided for under Section 18 hereof.

SEC. 15. *Approval of Survey Plans.*—The National Land Titles and Deeds Registration Administration and the Bureau of Lands shall give priority to the approval of all survey plans of parcels of land affected by government projects which have been filed under their respective jurisdiction.

SEC. 16. *Registration of Deed of Conveyance.*—The Register of Deeds shall register the deed of conveyance and issue the corresponding title in favor of the government within seven (7) days from the date of presentation of such deed together with the certification provided in Section 10 hereof.

The Register of Deeds shall also register the ROW agreement executed by the land owner in favor of the government for the ROW easement acquired by the latter over his property.

TITLE D

Assistance to Displaced Tenants/Occupants

SEC. 17. *Relocation/Resettlement of Tenants/Occupants Affected by Property/ROW Acquisitions.*—In case where the land to be acquired for the project would involve displacement of tenants, farmers and other occupants, the Ministry of Human Settlements, Ministry of Agrarian Reform and other concerned agencies shall extend full cooperation and assistance to the implementing agency/instrumentality concerned in the relocation and resettlement of such displaced tenants and occupants.

SEC. 18. *Financial Assistance to Displaced Tenants/Occupants.*—The government implementing agencies/instrumentalities concerned shall extend financial assistance to the displaced tenants of agricultural lands, cultural minorities and settlers who are duly accredited by the Ministry of Agrarian Reform/Bureau of Forest Development/Office of Muslim Affairs and Cultural Communities. In the case of cultural minorities, payment of such financial assistance shall be based on land occupancy certificates pursuant to the provisions of P.D. 410. The amount of financial assistance to be given to tenants/farmers of agricultural lands which is to be determined by the implementing agency concerned in consultation with appropriate agencies, shall be equivalent to the value of the gross harvest for one year on the principal and secondary crops of the area acquired, based on the average annual gross harvest for the last three preceding crop years: *Provided*, That in no case shall the financial assistance be less than P15,000.00 per hectare.

Financial assistance may also be given to owners of lands acquired under CA 141, as amended, for the area of portion subject to the reservation under Section 112 thereof in such amounts as may be determined by the implementing agency/instrumentality concerned, in consultation with the Commission on Audit and the assessor's office concerned.

Payment of the abovementioned financial assistance shall be made at the time of relocation of the tenants/farmers.

SEC. 19. *Repealing Clause.*—All executive orders, instructions, rules and regulations or parts thereof inconsistent with this Executive Order are hereby repealed or modified accordingly.

SEC. 20. *Effectivity.*—This Order shall take effect immediately.

Done in the City of Manila, this 25th day of June, in the year of Our Lord Nineteen Hundred and Eighty-Five.

(Sgd.) FERDINAND E. MARCOS
President of the Philippines

By the President:

(Sgd.) JUAN C. TIVERA
Presidential Executive Assistant

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 1059, s. 1985

FURTHER IMPLEMENTING PRESIDENTIAL DECREE NO. 1726
IN THE MINISTRY OF JUSTICE, MINISTRY OF AGRARIAN
REFORM AND MINISTRY OF LABOR AND EMPLOYMENT
AND ALL OTHER MINISTRIES OF THE NATIONAL
GOVERNMENT

WHEREAS, Presidential Decree No. 1726 provides for a new schedule of salary rates for lawyer positions in the Ministry of Justice and its bureaus, commissions and agencies;

WHEREAS, under Executive Order No. 670, partial implementation of the new rates were authorized, further implementation to be subject to the OBM review of the designations, titles and salary rates of positions covered by Presidential Decree No. 1726 to ensure uniformity in the use of titles and designations and in cases involving relationships between superior and subordinate positions;

WHEREAS, it is necessary in the MOJ, MAR and MOLE to fully implement PD 1726 to attain equity in compensation for premier positions in these ministries;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby order and direct:

SECTION 1. The lawyer positions in the Ministry of Justice, Ministry of Agrarian Reform and Ministry of Labor and Employment allocated to the following classes are hereby adjusted in accordance with the provisions of PD No. 1726 as follows:

	<i>Upgraded Salary Rate</i>
HEARING OFFICIATING GROUP	-
Hearing Officer III	P52,452
Hearing Officer IV	57,912
Chief Hearing Officer	57,912
IMMIGRATION AND ALIEN REGULATION GROUP	
Immigration Executive Officer	P60,876
LAND REGISTRATION GROUP	
Deeds Registry Inspector	P26,388
Supervising Deeds Registry Inspector	45,204
Deputy Register of Deeds I	45,204
Register of Deeds I	49,896
Deputy Register of Deeds II	49,896
Deputy Register of Deeds III	52,452
Assistant Chief Deeds Registry Inspector	52,452
Land Registration Special Assistant	52,452
Land Registration Deputy Clerk of Court	52,452
Register of Deeds II	52,452
Deputy Register of Deeds IV	57,912
Land Registration Clerk of Court	57,912
Chief Deeds Registry Inspector	57,912
Senior Land Registration Special Assistant (Special Asst. to the LRC Commissioner)	57,912
Register of Deeds III	57,912
LRC Administrative Officer	57,912
Land Registration Legal Affairs Chief	60,876
Register of Deeds IV	60,876

LABOR RELATIONS PROMOTION AND CONCILIATION GROUP	
Labor Relations and Promotion Officer	P45,204
Labor Arbitration Specialist	49,896
Sr. Labor Relations and Promotion Officer	49,896
Sr. Labor Arbitration Specialist	52,452
Supervising Labor Relations and Promotion Officer	52,452
Chief Labor Relations and Promotion Officer	57,912
Chief Labor arbitration Specialist	60,876
LEGAL COUNSELING GROUP	
Legal Officer I (Including Legal Officer I for New Bilibid Prison and Leyte Regional Prison)	P25,116
Legal Officer II	25,116
Legal Officer III	38,964
Legal Officer I (Bureau of Prisons except Legal Officer I of New Bilibid Prison and Leyte Regional Prison)	45,204
Legal Officer IV	45,204
Senior Legal Officer	49,896
Assistant Chief Legal Officer	52,452
Chief Legal Officer	57,912
Overseas Employment Legal Counsel	57,912
LEGAL RESEARCH GROUP	
Research Attorney I	P25,116
Research Attorney II	38,964
Senior Research Attorney	45,204
Chief Research Attorney	52,452
TRIAL ATTORNEYS GROUP	
CLAO Trial Attorney	P38,964

Citizens Attorney	45,204
District Citizens Attorney	52,452
Senior Citizens Attorney	57,912
Supervising Citizens Attorney	57,912

SEC. 2. Lawyer positions in other ministries following the National Compensation and Classification Plans allocated to the following classes are adjusted by two salary steps from authorized salary under E.O. No. 1000 as follows:

ELECTION ADMINISTRATION GROUP	
Comelec Field Supervisor	P32,196
Provincial Election Supervisor I	32,196
Provincial Election Supervisor II	35,568
Provincial Election Supervisor III	39,288
Provincial Election Supervisor IV	43,392
Chief Elections Officer	43,392
HEARING OFFICIATING GROUP	
Hearing Officer I	P19,584
Hearing Officer II	21,624
Hearing Officer III	25,116
NAPOLCOM, Hearing Officer	27,732
Hearing Officer IV	30,636
NAPOLCOM Supervising Hearing Officer	30,636
Chief Hearing Officer	39,288
LEGAL COUNSELLING GROUP	
Legal Officer I	P17,724
Legal Officer II	19,584
MIA Legal Officer	20,580
Legal Officer III	21,624
Election Attorney	23,892

Legal Officer IV	23,892
PRC Attorney	23,892
COA Attorney	23,892
Civil Service Attorney	23,892
MIA Senior Legal Officer	25,116
Senior Legal Officer	26,388
MIA Supervising Legal Officer	27,732
PRC Senior Attorney	29,148
COA Senior Attorney	29,148
Senior Civil Service Attorney	29,148
Senior Elections Attorney	29,148
Assistant Chief Legal Officer	32,196
MIA Chief Legal Officer	32,196
Supervising Elections Attorney	35,568
PRC Supervising Attorney	35,568
COA Supervising Attorney	35,568
Supervising Civil Service Attorney	35,568
Supervising Civil Service Legal Counsel	35,568
Chief Legal Officer	37,380
Assistant Ministry Legal Counsel	39,288
NAPOLCOM Legal Affairs Asst. Branch Head	39,288
Ministry Legal Counsel	41,292
NAPOLCOM Legal Affairs Branch Head	41,292
PRC Chief Attorney	43,392
Chief Civil Service Attorney	43,392
Chief Civil Service Counsel	43,392
Chief Elections Attorney	43,392
COA Chief Attorney	43,392
LEGAL RESEARCH GROUP	

Court Decision Reporter	P17,724
Research Attorney I	17,724
Research Attorney II	21,624
Senior Research Attorney	23,892
Labor Appeals Research Attorney	29,148
Chief Research Attorney	33,840
TRIAL ATTORNEYS GROUP	
Trial Attorney I	P19,584
Trial Attorney II	23,892
Trial Attorney III	26,388
Trial Attorney IV	37,380

SEC. 3. Notwithstanding the salary adjustments in Section 1 and 2 herein positions in the Career Executive Service and their equivalent shall continue to be paid in accordance with the rules and regulations of the Career Executive Service and are not be exceeded or equalled by subordinates.

SEC. 4. Adjustments of salary shall be subject to the condition that no subordinate shall be paid higher than the immediate supervisor.

SEC. 5. The salary of positions covered by Presidential Decree No. 1726 and Letter of Implementation No. 127 as implemented by Executive Order No. 670 for lawyer positions which are not mentioned in Section 1 herein shall continue to be paid in accordance with the provisions of said executive order.

SEC. 6. The procedure rules and regulations needed to carry out this order shall be formulated and issued by the Office of Budget and Management.

SEC. 7. The amounts necessary to cover the salary increases as herein provided shall be charged against salary lapses and other personal services, maintenance and other operating expenses,

savings in the respective appropriations of commissions, bureaus and offices concerned and the Salary Adjustment Fund.

SEC. 8. The salary increases shall be effective January 1, 1985 subject to availability of funds.

Done in the City of Manila, this 22nd day of October in the year of Our Lord, Nineteen Hundred and Eighty-Five.

(Sgd.) FERDINAND E. MARCOS
President of the Philippines

By the President:

(Sgd.) JUAN C. TUVERA
Presidential Executive Assistant

MALACAÑANG
RESIDENCE OF THE PRESIDENT OF THE PHILIPPINES
MANILA

EXECUTIVE ORDER NO. 1083, s. 1986

CONDONATION OF ACCRUED INTERESTS ON OVERDUE
LAND AMORTIZATION PAYMENTS AND/OR RENTALS BY
AGRARIAN REFORM BENEFICIARIES IN ALL LANDED
ESTATES ADMINISTERED BY THE MINISTRY OF
AGRARIAN REFORM

WHEREAS, due to force majeure and other economic difficulties, the farmer-beneficiaries in government-acquired landed estates have generally failed to pay their land amortization and/or rentals in these estates;

WHEREAS, accrued rentals and interest in these estates have accumulated to a considerable amount whereby the farmer-beneficiaries concerned can not afford to pay;

WHEREAS, it is the policy of the government to extend all possible assistance to farmers especially during this period of national economic recovery;

NOW THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby condone all accrued interest on the overdue land amortization of all agrarian interest on the overdue land amortization of all agrarian reform beneficiaries and/or the rental payments in these estates as of December 31, 1985.

Done in the City of Manila, this 28th day of January, in the year of Our Lord, nineteen hundred and eighty-six.

(Sgd.) FERDINAND E. MARCOS
President of the Philippines

By the President:

(Sgd.) JOAQUIN T. VENUS, JR.
Deputy Presidential Executive Assistant

ADMINISTRATIVE ORDERS

MALACAÑANG
MANILA

RESIDENCE OF THE PRESIDENT
OF THE PHILIPPINES

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 72, s. 1963

CREATING A SPECIAL COMMITTEE ON REORGANIZATION OF
AGENCIES FOR LAND REFORM

WHEREAS, there is need to implement the Land Reform Program and thus attain its objectives;

WHEREAS, the machinery that will be established to carry out the Program will determine, to a large extent, its success;

WHEREAS, it is imperative that the agencies involved be reorganized as one integrated unit to avoid the proliferation of efforts and conflicting directions resulting from each individual agency undertaking its own reorganization; and

WHEREAS, because of the complex nature of the land reform machinery established, the reorganization of agencies should be made with the assistance and guidance of people who know the requirements of the Land Reform Program, the process involved in agricultural development, and the needs of farmers.

NOW, THEREFORE, I, DIOSDADO MACAPAGAL, President of the Philippines, by virtue of the powers vested in me by law, do hereby create a Special Committee on Reorganization of Agencies for Land Reform.

Hon. Sixto K. Roxas, Chairman, National Economic Council	Chairman
Hon. Benjamin Gozon, Secretary of Agriculture and Natural Resources	Member

Hon. Bernardino Abes, Secretary of Labor	Member
Hon. Salvador L. Marino, Secretary of Justice	Member
Hon. Rodrigo Perez, Jr., Secretary of Finance	Member
Hon. Brigido Valencia, Secretary of Public Works and Communications	Member
Hon. Macario Peralta, Jr., Secretary of National Defense	Member
Mr. Teodoro Locsin, representing the public	Member
Hon. Faustino Sy-Changco, Budget Commissioner	Member

The Committee shall have the following functions:

1. To facilitate the transfer of powers, duties, responsibilities, assets, liabilities, supplies, equipment, personnel, files, records, and unexpended balances of agencies abolished to the new agencies.

2. To set up the organizational structure of the following agencies:

- a. Land Authority
- b. Land Bank
- c. Agricultural Productivity Commission
- d. Agricultural Credit Administration
- e. Office of the Agrarian Council

3. To conduct the training and placement of personnel.

4. To establish policies and guidelines for land reform.

5. To standardize procedures for implementation and evaluation.

6. To reassess and revise land tax schedules according to the objectives of land reform.

7. To facilitate an aerial photography survey of the country according to the needs of various agencies.

The Committee shall organize itself into the following teams to undertake; the specific areas of work required:

1. Accounting Team
2. Legal Team
3. Management Team
4. Agriculture Team

The Committee shall meet at the call of the Chairman and, for the purpose of discharging its functions, is hereby authorized to call upon any department, bureau, office, agency, or instrumentality of the Government for such information and assistance as it may require in the performance of its work.

The Committee shall submit to the President its report and recommendations as soon as possible.

Done in the City of Manila, this 2nd day of August, in the year of Our Lord, nineteen hundred and sixty-three.

(Sgd.) DIOSDADO MACAPAGAL
President of the Philippines

By the President:

(Sgd.) RUFINO G. HECHANOVA
Executive Secretary

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 79, s. 1963

REQUIRING ALL EXECUTIVE DEPARTMENTS, BUREAUS, AND OFFICES TO RENDER FULL ASSISTANCE TO THE LAND REFORM AGENCIES UNDERTAKING IMPLEMENTATION OF THE AGRICULTURAL LAND REFORM CODE

WHEREAS, the reforms contemplated by the Agricultural Land Reform Code are important and extensive;

WHEREAS, the organization established by the Code to undertake these reforms may be hampered by a lack of complement and resources sufficiently oriented to agriculture and the requirements of such reforms;

WHEREAS, such complement and resources may be made available from other executive agencies of the Government without unduly impairing the public service; and

WHEREAS, it is also essential to achieve economy and avoid duplication of efforts in the implementation of the intended reforms;

NOW, THEREFORE, I, DIOSDADO MACAPAGAL, President of the Philippines, by virtue of the powers vested in me by law, do hereby require and authorize all Executive Departments, Bureaus, and Offices to:

1. Render full and adequate assistance to the National Land Reform Council in the implementation and execution of any land reform project instituted by the Council;

2. Provide the aforementioned assistance upon request of the Land Reform Council, in the form of personnel and other resources available from the Department, Bureau, or Office concerned, and in

the terms of the manpower, resource, and other requirements of the project;

3. Give full priority and immediate attention to any such request of the Land Reform Council made in proper form and by its authority; and

4. Charge such assistance to the account of the Department, Bureau, or Office providing the same, or to the benefiting land reform agency, or to both, in accordance with special arrangements made under existing laws or rules and regulations.

Done in the City of Manila, this 15th day of October, in the year of Our Lord, nineteen hundred and sixty-three.

(Sgd.) DIOSDADO MACAPAGAL
President of the Philippines

By the President:

(Sgd.) RUFINO G. HECHANOVA
Executive Secretary

MALACAÑANG
MANILA

ADMINISTRATIVE ORDER NO. 127, s. 1989

CREATING A FACT-FINDING COMMITTEE WITH PLENARY POWERS TO INVESTIGATE AND DETERMINE ALL THE FACTS AND CIRCUMSTANCES REGARDING THE VOLUNTARY OFFER TO SELL THE GARCHITORENA LAND IN CAMARINES SUR AND THE PROCEEDINGS RELATIVE THERETO UNDER THE AGRARIAN REFORM PROGRAM

There is hereby created a FACT-FINDING COMMITTEE (hereinafter referred to as the Committee) for the purpose of investigating and determining all the facts and circumstances regarding the voluntary offer to sell the Garchitorena land in Camarines Sur and the proceedings relative thereto under the Agrarian Reform Program. The Committee shall be composed of:

JOSE Y. FERIA	Chairman
Retired Justice of the Supreme Court	
NESTOR B. ALAMPAY	Member
Retired Justice of the Supreme Court	
LEON M. GARCIA, JR.	Member
President of the Integrated Bar of the Philippines	

For the purpose of investigation, the Committee is hereby granted all the powers of an investigating body under Sections 71 and 580 of the Revised Administrative Code, including the power to summon witnesses, administer oaths, take testimony or evidence relevant to the investigation, and to obtain compulsory powers to produce documents, books, records and such other matters in the performance of its functions.

The Deputy Executive Secretary shall establish a Secretariat for the technical and staff support of the Committee. For this purpose, he is hereby authorized to detail any personnel from any government office to assist the Committee.

All the departments, bureaus, offices, agencies or instrumentalities including government owned or controlled corporations are hereby directed to extend such assistance and cooperation as the Committee may need in the discharge of its functions.

The Committee shall submit its findings and recommendations to the President of the Philippines.

DONE in the City of Manila this 26th day of May in the year of Our Lord, nineteen hundred and eighty-nine

(Sgd.) CORAZON C. AQUINO
President of the Philippines

By the President:

(Sgd.) CATALINO MACARAIG, JR.
Executive Secretary

MALACAÑANG
MANILA

ADMINISTRATIVE ORDER NO. 176, s. 2007

**CREATION OF AN INTER-AGENCY TASK FORCE FOR
THE CONDONATION OF AGRARIAN REFORM LAND
AMORTIZATION LIABILITIES AND FOR OTHER PURPOSES**

WHEREAS, Article XIII, Section 4 of the 1987 Constitution mandates the State to undertake, by law, an agrarian reform program founded on the right of farmers and regular farmworkers who are landless to own directly or collectively the lands they till or, in the case of other farmworkers, to receive a just share of the fruits thereof;

WHEREAS, Republic Act. No. (RA) 6557 otherwise known as the Comprehensive Land Reform Law of 1988, was enacted to institute the Comprehensive Agrarian Reform Program (CARP) to promote social justice and move the nation toward sound rural development and industrialization;

WHEREAS, Section 26 of RA 6557 provides that lands awarded through CARP shall be paid for by the beneficiaries of the Land Bank of the Philippines in thirty (30) annual amortizations at six percent (6%) per annum;

WHEREAS, there is a need to review the possibility of condoning outstanding land amortization liabilities of agrarian reform beneficiaries (ARBs);

NOW THEREFORE I, GLORIA MACAPAGAL-ARROYO, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. Creation of the Inter-Agency Task Force. – An Inter-Agency Task Force is hereby created to review the possibility of condoning outstanding land amortization liabilities of ARBs:

Chairman : Secretary of Agrarian Reform
Members : Secretary of Justice Secretary of Finance
Representative from the Land Bank of the
Philippines

Representative from the Agrarian Reform
Beneficiaries Association

The Department of Agrarian Reform shall serve as Secretariat for the Inter-Agency Task Force.

SEC. 2. Functions of the Inter-Agency Task Force. – The Inter-Agency Task Force shall perform the following functions:

a. Evaluate and recommend reforms in the existing agrarian reform models; and

b. Evaluate the proposed condonation of outstanding amortization liabilities of ARBs to effect genuine land redistribution.

The Inter-Agency Task Force shall submit to the President a report on the foregoing concerns within One Hundred Twenty (120) days from the effectivity of this order.

SEC. 3. Inter-Agency Coordination. – All national government agencies concerned and attached agencies, local government units, government-owned and controlled corporations and other instrumentalities of the government are hereby directed to cooperate and give their full support to the Inter-Agency Task Force.

SEC. 4. Repealing Clause. – All issuances, rules and regulations or parts thereof which are inconsistent with this Administrative Order are hereby repealed or modified accordingly.

SEC. 5. Effectivity. – This Administrative Order shall take effect immediately.

DONE in the City of Manila, this 11th day of May, in the year of Our Lord, Two Thousand and Seven.

(Sgd.) GLORIA MACAPAGAL-ARROYO
President of the Philippines

By the President:

(Sgd.) EDUARDO R. ERMITA
Executive Secretary

MALACAÑANG
RESIDENCE OF THE PRESIDENT
OF THE PHILIPPINES
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 182, s. 1969

CREATING THE PRESIDENTIAL COORDINATING COMMITTEE
FOR SOCIAL JUSTICE AND AGRARIAN REFORMS

WHEREAS, there is a pressing need to attend to the problems and demand of small farmers belonging to the Federated Movement for Social Justice and Reforms (FMSJR) from all over the country and provide solutions therefor in the most expeditious and economical manner;

WHEREAS, to the various problems and demands of the said small farmers there are existing Government agencies that can attend and provide adequate solutions;

AND, WHEREAS, these Government agencies should now be coordinated in order that their respective functions can be made to better serve the needs and solve the problems of the said small farmers without delay;

NOW, THEREFORE, by virtue of the powers vested in me by law, I, FERDINAND MARCOS, President of the Philippines, do hereby create a body to be known as the Presidential Coordinating Committee for Social Justice and Agrarian Reforms composed of the following: the Chairman of the National Land Reform Council as Chairman; the Undersecretaries of Justice, Agriculture and Natural Resources, Public Works and Communications, and of the Presidential Agency for Reforms on Government Operations, the Dean of the U.P. College of Agriculture, the Commissioner of the Small Farmers' Commission, the President of the Philippine Press Institute, or their duly authorized representatives, and three

representatives of the Federated Movement for Social Justice and Reforms, as members.

The Committee shall meet at least twice a month at the Marble Hall, Department of Agriculture and Natural Resources Building, Agrifina Circle, Rizal Park, Manila, or in such other places as may be designated by the Committee,

The Committee shall receive all complaints of the farmers, tenants, lessees, small owners-cultivators and agricultural workers belonging to and/or affiliated with the FMSJR group, and it shall forward and follow-up such complaints and cases with the proper government offices for immediate appropriate action.

The Committee is authorized to call upon any department, bureau, office, agency or instrumentality of the government as it may need to carry out the purposes of this order, and may request the temporary assignment of such personnel therefrom to the Committee which shall exercise operational control over them for the duration of their assignments.

The Committee shall submit to the President periodic reports regarding the said complaints, grievances and cases received by them and the corresponding actions taken thereon.

Done in the City of Manila, this 31st day of October, nineteen hundred and sixty-nine.

(Sgd.) FERDINAND E. MARCOS
President of the Philippines

By the President:

(Sgd.) ERNESTO M. MACEDA
Executive Secretary

AO 182 s. 1969 was amended by AO 200 s. 1970.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 200, s. 1970

REVISING ADMINISTRATIVE ORDER NO. 182 DATED OCTOBER 31, 1969, ENTITLED “CREATING THE PRESIDENTIAL COORDINATING COMMITTEE FOR SOCIAL JUSTICE AND AGRARIAN REFORMS.”

Administrative Order No. 182 dated October 31, 1969, is hereby revised –

(a) by amending the fourth paragraph to read as follows:

“NOW, THEREFORE, by virtue of the powers vested in me by law, I, FERDINAND E. MARCOS, President of the Philippines, do hereby create a body to be known as the Presidential Coordinating Committee for Social Justice and Agrarian Reforms composed of the following: the Chairman of the National Land Reform Council, as Chairman, and the Undersecretaries of Justice, Agriculture and Natural Resources, Public Works and Communications, and the Presidential Agency on Reforms and Government Operations; the Dean of the U.P. College of Agriculture; the Commissioner of the Small Farmers’ Commission; the Chairman of the Philippine Press Institute; and three representatives of the Federated Movement for Social Justice and Reforms, as members. In the absence of any of the aforementioned public officials and citizens, a duly authorized representative may attend the meeting on his behalf. The Committee shall choose a Vice-Chairman and such other officers as may be needed. It may also adopt its internal rules of procedure.”

(b) by modifying the sixth paragraph to read as follows:

“The Committee shall receive all complaints of the farmers, tenants, lessees, small owner-cultivators and agricultural workers belonging to and/or affiliated with the FMSJR group, and it shall

forward and follow up such complaints and cases with the proper government offices for immediate appropriate action. Whenever necessary, the Committee may conduct a fact-finding investigation, including the taking of testimony, and may administer oaths and summon witnesses or require the production of documents under a subpoena duces tecum under Sections 71 and 580 of the Revised Administrative Code. For this purpose the PARGO may be utilized by the Committee in order to expedite the proceedings. The Committee may recommend the adoption of solutions to the problem brought out by such complaints.”

Done in the City of Manila, this 13th day of January, nineteen hundred and seventy.

(Sgd.) FERDINAND E. MARCOS

By the President:

(Sgd.) ERNESTO M. MACEDA
Executive Secretary

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 206, s. 1995

CREATING A NATIONAL COMMITTEE ON THE INTERNATIONAL
DECADE FOR THE WORLD'S INDIGENOUS PEOPLES,
AND DECLARING 1995-2005 AS NATIONAL DECADE FOR
FILIPINO INDIGENOUS PEOPLES

WHEREAS, recalling that the UN General Assembly on 18 December 1990 declared 1993 as “International Year for the World’s Indigenous Peoples: A New Partnership” with the view to strengthening international cooperation towards the solution of problems faced by indigenous communities in such areas as human rights, the environment, education, health, cultural identity, employment and ancestral domain;

WHEREAS, the Philippines is a signatory to the International Labour Organization (ILO) Convention 169 Concerning Indigenous and Tribal Peoples in Independent Countries which is currently the main international legal instrument protecting the rights of indigenous peoples, and other international agreements concerning the environment such as the 1992 UN Convention on Biodiversity and the Principles on Tropical Forests, which directly concerns the 2 million year old biocultural diversity of indigenous peoples in their forests;

WHEREAS, the Philippines, through the initiative of DIALECT-PCCEDIU-International Theatre Institute, FACE/ Earthsavers Movement and the Indigenous Organization, Tribal Communities Association of the Philippines (TRICAP), all non-government organizations, initiated the Philippine hosting of the 1988 International Conference and Festival for Indigenous and Traditional Cultures as a UNESCO launching activity of the UN Decade of Culture, and which initiative led to a successful Philippine involvement in the UN General Assembly Declaration of 1993 as

the International Year of the World's Indigenous Peoples and the special participation of the Philippines at the inaugural ceremonies of the UN Year during Human Rights Day on 11 December 1992 at the UN Headquarters;

WHEREAS, the National Organizing Committee for the Global Youth Earthsaving Summit (Global YES) created by Administrative Order No. 28 held in Quezon City on 10-19 April 1993 was the first UN-endorsed international event for the year on the theme "Indigenous and Youth Partnership for Sustainable Development" attended by Nobel Laureate and UN Ambassador for Indigenous Peoples Rigoberta Menchu Tum and Human Rights Awardee, Prince Alfred von Liechtenstein and 1,500 delegates from 28 countries, preceded by a National Conference on Indigenous Peoples with its central theme on Indigenous People's Traditional Cultures, Ancestral Domain and Self-Governing Communities: A Philippine Strategy for Sustainable Development" initiated by Earthsavers, TRICAP and ITI-FACE;

WHEREAS, the Philippines participated in the World Conference on Human Rights held in Vienna on 14-25 June 1993 which finalized and approved a Draft Universal Declaration on the Rights of Indigenous Peoples that will chart the UN Human Rights Program into the next century, and the Secretary General of the Vienna Conference, Mr. Ibrahima Fall, had expressed interest in support for the Philippine proposal of an Indigenous Cultural Olympics;

WHEREAS, the UN General Assembly 48/163 on 3 December 1993, "noted with satisfaction the holding in Manila of a Global Indigenous Cultural Olympics, reaffirms the role of traditional cultures in the preservation of the environment underscoring the right to cultural survival; and

"Welcomes the proposal for a follow-up gathering of indigenous peoples in 1995, an "Indigenous Peoples Cultural Olympics and Summit", to be held in conjunction with the International Decade of the World's Indigenous Peoples and the 50th Anniversary of the United Nations, to reaffirm the value of traditional cultures, folk arts

and rituals as effective expressions of respective national identities, and as presentation for the shared vision for peace, freedom and equality”;

WHEREAS, the UNESCO has also designated the “Global Indigenous Cultural Olympics and Summit for Peace and Sustainable Development” (GICOS) as an official activity of the UN Decade of Culture and the observance of UNESCO’s 50th Anniversary of Culture;

WHEREAS, the International Theatre Institute (ITI) has unanimously approved and endorsed participation in the GICOS event at its 26th Congress in Caracas, Venezuela on 24-30 June, 1995, and pledged cooperation of its Theatre Education and Cultural Identity and Development Program;

WHEREAS, it is now incumbent on the Philippine Government to undertake such preparations for the Decade beginning with the Global Indigenous Cultural Olympics and Summit for Peace and Sustainable Development with the full participation on indigenous peoples in the planning, implementation, and evaluation of such program, and other projects and activities that will affect their living condition now and in the future;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby create a National Committee for the International Decade of the World’s Indigenous Peoples and declare 1995-2005 as the National Decade of Philippine Indigenous Peoples.

SECTION 1. *Composition of the National Committee.* – I hereby designate the following or their duly authorized representatives to compose the National Committee:

1. Secretary, Department of Foreign Affairs - Member
2. Secretary, Department of Education, Culture and Sports - Member
3. Secretary, Department of Environment and Natural Resources - Member
4. Secretary, Department of Health - Member

- | | |
|--|----------|
| 5. Secretary, Department of Labor and Employment | - Member |
| 6. Secretary, Department of Agrarian Reform | - Member |
| 7. Secretary, Department of Tourism | - Member |
| 8. Secretary, Department of the Interior and Local Government | - Member |
| 9. Secretary, Department of Public Works and Highways | - Member |
| 10. Secretary, Department of Trade and Industry | - Member |
| 11. Secretary, Department of Science and Technology | - Member |
| 12. Secretary, Department of National Defense | - Member |
| 13. Secretary, Department of Agriculture | - Member |
| 14. Secretary, Department of Transportation and Communications | - Member |
| 15. The Press Secretary | - Member |
| 16. Presidential Adviser/National Commission on Youth | - Member |
| 17. Commission on Human Rights | - Member |
| 18. Executive Directors of the | |
| a) Office of Northern Cultural Communities | - |
| b) Office of Southern Cultural Communities | - |
| c) Office of Muslim Affairs | - |

SEC. 2. *Functions of the National Committee.* – The National Committee shall prepare the appropriate national program for the World’s Indigenous Peoples and the National Decade for Filipino Indigenous Peoples which shall be implemented throughout the Philippines. The National Committee shall also undertake the necessary preparations for the participation of concerned agencies in national and international conferences concerning indigenous peoples, the development of educational and communications materials beginning with the holding in the Philippines of the Global Indigenous Cultural Olympics and Summit on December 1-10, 1995.

The National Committee may secure the cooperation of all government and private instrumentalities to ensure the success of its programs. It shall be in liaison with the Senate Committee on Environment and Education and the House Committee on Cultural Communities and Youth. The National Committee shall organize a Secretariat which will implement the programs and projects of the National Committee and which will include staff members from the organizing hosts of GICOS which are the TRICAP, coordinating for the indigenous peoples; the Earthsavers Movement, coordinating for

the environmental NGOs and eco-communications; International Theatre Institute and FACE center coordinating for cultural groups, KBP coordinating with media groups, UP System and CHED for liaison with educational institutions in the tertiary level, the Philippine Business for Social Progress (PBSP), coordinating for the business sector, the University of the Philippines; Hotel and Restaurant Association of the Philippines to assist hospitality needs; and the MMA for Metro Manila Mayors and PICC/CCP for venue needs.

The National Committee may create such subcommittees as it may deem necessary.

SEC. 3. Funding. w– The funds necessary to carry out the provisions of this Administrative Order shall be taken from funds available in the Departments and government agencies represented in the National Committee, the National Commission on Culture and the Arts, and in the absence or insufficiency thereof, from any available lump sum appropriation and/or special fund, upon approval by the President.

SEC. 4. Repealing Clause. – All provisions of Administrative Order No. 28, Series of 1993 which are inconsistent with the provisions of this Administrative Order are hereby repealed or amended accordingly.

SEC. 5. Effectivity. – This Administrative Order shall take effect immediately.

DONE in the City of Manila, this 13th day of July, in the year of Our Lord, Nineteen Hundred and Ninety-Five.

(Sgd.) FIDEL V. RAMOS

By the President:

(Sgd.) RUBEN D. TORRES
Executive Secretary

MALACAÑANG
MANILA

ADMINISTRATIVE ORDER NO. 226, s. 2008

**SUSPENDING THE PROCESSING AND APPROVAL OF ALL
LAND CONVERSION APPLICATIONS OF ALL RICE LANDS**

WHEREAS, it is the policy of the state as declared under Republic Act No. 8435 to assure the availability, adequacy, accessibility of food supplies to every Filipino at all times;

WHEREAS, the State shall ensure that the poorer sectors of society have equitable access to resources, income opportunities, basic and support services especially in areas where productivity is low;

WHEREAS, the State shall promote food security, including sufficiency in our staple food, particularly the rice supply;

WHEREAS, to meet the needs of the increasing number of Filipinos, there is a need for the production of rice to be optimized to meet our local needs and consumption;

WHEREAS, to ensure sufficient rice supply there is a need for all lands utilized and intended for rice production to be protected from any other land use or conversion;

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Republic of the Philippines, by virtue of the powers vested in me by the Constitution and the law, do hereby order the following:

SECTION 1. That the processing and approval of all land conversions applications affecting rice lands and lands mentioned under Republic Act No. 8435 considered as Network of Protected Areas for Agricultural and Agro-industrial Development (NPAAD) which includes and covers all irrigated areas, all irrigable lands already covered by irrigation projects; all alluvial plain land highly

suitable for agriculture whether irrigated or not; Agro-industrial crop lands or lands presently planted to industrial crops that support the viability of existing agricultural infrastructure and agro-based enterprises, highlands, areas located at an elevation of five hundred (500) meters or above and have the potential for growing semi temperate and high-value crops; all agricultural lands that are ecological fragile and mangrove areas and fish sanctuaries shall be temporarily suspended for two (2) years.

SEC. 2. The Department of Agrarian Reform is hereby tasked for the implementation of this order.

SEC. 3. All orders, rules and regulations and issuances or parts thereof inconsistent with this Administrative Order are hereby repealed, amended or modified accordingly.

SEC. 4. This Administrative Order shall take effect immediately after publication in a newspaper of general circulation.

DONE in the City of Manila, Philippines, this 16th day of May 2008.

(Sgd.) GLORIA MACAPAGAL-ARROYO

By the President:

(Sgd.) EDUARDO R. ERMITA
Executive Secretary

MALACAÑANG
MANILA

ADMINISTRATIVE ORDER NO. 226-A, s. 2008

AMENDING ADMINISTRATIVE ORDER NO. 226, SERIES OF 2008, ENTITLED: "SUSPENDING THE PROCESSING AND APPROVAL OF ALL LAND CONVERSION APPLICATIONS OF ALL RICE LANDS"

WHEREAS, it is the policy of the state as declared under Republic Act No. 8435 to assure the availability, adequacy, accessibility of food supplies to every Filipino at all times;

WHEREAS, the State shall ensure that the poorer sectors of society have equitable access to resources, income opportunities, basic and support services especially in areas where productivity is low;

WHEREAS, the State shall promote food security, including sufficiency in our staple food, particularly rice supply;

WHEREAS, to meet the needs of the increasing number of Filipinos, there is a need for the production of rice to be optimized to meet our local needs and consumption;

WHEREAS, to ensure sufficient rice supply there is a need for all lands utilized and intended for rice production to be protected from any other land use or conversion;

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Republic of the Philippines, by virtue of the powers vested in me by the Constitution and the law, do hereby order the following:

SECTION 1. That the processing and approval of all land conversions applications affecting rice lands mentioned under Republic Act No. 8435 considered as Network of Protected Areas for Agricultural and Agro-industrial Development (NPAAD) which

includes and covers all irrigated areas, all irrigable lands already covered by irrigation projects shall be temporarily suspended for two (2) years.

SEC. 2. The Department of Agrarian Reform is hereby tasked for the implementation of this order.

SEC. 3. All orders, rules and regulations and issuances or parts thereof inconsistent with this Administrative Order are hereby repealed, amended or modified accordingly.

SEC. 4. This Administrative Order shall take effect immediately after publication in a newspaper of general circulation.

DONE in the City of Manila, this 14th day of July 2008

(Sgd.) GLORIA MACAPAGAL-ARROYO

By the President:

(Sgd.) EDUARDO R. ERMITA
Executive Secretary

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 363, s. 1997

PRESCRIBING GUIDELINES FOR THE PROTECTION OF
AREAS NON-NEGOTIABLE FOR CONVERSION AND
MONITORING COMPLIANCE WITH SECTION 20 OF THE
LOCAL GOVERNMENT CODE

WHEREAS, Section 21, Article II of the 1987 Constitution provides that “the State shall promote comprehensive rural development and agrarian reform”;

WHEREAS, Section 1, Article XII of the Constitution provides that “the State shall promote industrialization and full employment based on sound agricultural development and agrarian reform, through industries that make full and efficient use of human and natural resources”;

WHEREAS, Section 9, Article XIII of the Constitution provides that “the State shall, by law, and for the common good, undertake, in cooperation with the private sector, a continuing program of urban land reform and housing which will make available at affordable cost decent housing and basic services to underprivileged and homeless citizens in urban centers and resettlement areas”;

WHEREAS, it is necessary to rationalize the policy of government in protecting prime agricultural lands and in providing areas for industry, housing and commerce;

WHEREAS, the President is empowered to issue guidelines to Executive Agencies to further define the roles they are to undertake in pursuing the mandate of their respective agencies and in accordance with the priorities of government.

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby direct the observance of the following guidelines:

SECTION 1. *Declaration of Principles and Governing Policies*

A. General Principles

1. The State shall give priority to the provision for a rational and sustainable allocation, utilization, management and development of the country's land resources.

2. The State shall protect prime agricultural lands for food production activities, and give highest priority to the completion of the Comprehensive Agrarian Reform Program (CARP).

3. The State shall ensure food self-sufficiency and food security through efficient and sustainable use of land resources, consistent with the principles of sound agricultural development, natural resources development and agrarian reform.

4. The State shall promote the dispersal of industries nationwide to catalyze countryside development through the Regional Growth Centers (RGCs), economic zones, and growth networks/corridors.

5. The State shall promote and encourage the development of economic and socialized housing projects in order to make available adequate economic and socialized housing units for average and low-income earners in urban and rural areas.

6. The State shall institutionalize the participation of people's organizations, non-government organizations, and local communities in the formulation of a national land use plan.

B. Governing Policies

1. The following areas shall not be subject to or non-negotiable for conversion:

a. Protected areas designated under the National Integrated Protected Areas (NIPAS), including watershed and recharge areas of aquifers, as determined by the Department of Environment and Natural Resources (DENR), pursuant to RA 7586 (1992);

b. All irrigated lands, as delineated by the Department of Agriculture (DA) and/or the National Irrigation Administration (NIA) and approved by the President, where water is available to support rice and other crop production, and all irrigated lands where water is not available for rice and other crop production but are within areas programmed for irrigation facility rehabilitation by the DA and the NIA, pursuant to Presidential Administrative Order 20 (1992); and

c. All irrigable lands already covered by irrigation projects with firm funding commitments, as delineated by the DA and/or NIA and approved by the President.

For this purpose, the Network of Protected Areas for Agriculture (as of 1991), as determined by the DA and/or NIA shall serve as guide in determining non-negotiable areas. The Network may only be revised upon the approval of the President, upon favorable recommendation by the Cabinet Cluster on Agro-Industrial Development.

In all cases, applications for conversion involving lands protected from and non-negotiable for conversion shall not be given due course by the DAR.

2. The following areas shall be highly restricted from conversion:

a. Lands classified as 'Highly Restricted from Conversion' in the Network of Protected Areas for Agriculture as delineated by the DA, as follows:

a.1 Irrigable lands not covered by irrigation projects with firm funding commitments;

a.2 Agro-industrial croplands, or lands presently planted to industrial crops that support the economic viability of existing agricultural infrastructure and agro-based enterprises; and

a.3 Highlands, or areas located in elevations of 500 meters or above and have the potential for growing semi-temperate and usually high value crops.

b. Lands issued a Notice of Acquisition/Valuation under the agrarian reform program or subject of a perfected agreement between the landowner and the beneficiaries under Voluntary Land Transfer (VLT) or Direct Payment Scheme (DPS) under CARP, as determined by the DAR; and

c. Areas identified as environmentally critical as determined by the DENR, pursuant to PD 1586 (1978) and its implementing rules and regulations;

Lands classified as highly restricted from conversion may be converted only upon compliance with existing laws, rules and regulations. An additional requirement of the social benefit cost analysis approved by the DA shall also be required before these lands may be approved for conversion.

Applications for conversion covering areas under 2 (c) above shall be subject to the Environmental Impact Assessment (EIA) and/or Environmental Compliance Certificate (ECC) of the DENR.

3. Conversion of priority areas under Executive Order 124 (1993), as identified below, falling within the areas highly restricted from conversion may be allowed and the social benefit cost analysis for these areas may be waived; PROVIDED that the requirement of an EIC or ECC shall always be required; PROVIDED FURTHER that in no case shall conversion be allowed if these sites fall under those classified as non-negotiable areas:

a. specific sites in regional agri-industrial centers/regional industrial centers (RAICs/RICs) identified by the Department of

Trade and Industry (DTI) and the Department of Agriculture (DA), attached as Annex A;

b. tourism development areas (TDAs) identified by the Department of Tourism (DOT), attached as Annex B; and

c. sites identified by the local government units (LGUs) for socialized housing.

4. In all cases, farmers or prospective beneficiaries of the agrarian reform program affected by the conversion shall be paid sufficient disturbance compensation. In addition, the owners and or developers of the land shall be encouraged to provide capital which will enable the affected farmers and other legitimate stakeholders to shift to another livelihood, skills training, relocation sites, and priority in employment for them and their children. Investment arrangements which give affected farmers and other legitimate stakeholders a stake in the development of the land, such as, but not limited to, joint ventures and partnerships, shall also be encouraged.

5. No application for reclassification by LGUs shall be given due course by HLURB without the approved Comprehensive Land Use Plan approved by the HLURB for provinces, highly urbanized cities, independent component cities and the cities and municipalities of Metropolitan Manila, or the Sangguniang Panlalawigan for component cities and municipalities, after 1 January 1989. The following requirements or certifications from various agencies shall also be required:

a. Certification from the local HLURB specifying the total area of zoned agricultural lands in the local government concerned based on the approved Comprehensive Land Use Plan or Zoning Ordinance prior to the application for conversion;

b. Certification from the NIA that the area to be reclassified is not covered under Presidential A.O. 20, s. 1992;

c. Certification from the DAR indicating that such lands are not distributed or covered by a Notice of Valuation under CARP; and

d. Certification from DENR that the area applied for reclassification has been classified as alienable and disposable, and is not needed for forestry purposes in case the area applied for falls within public lands.

6. No application for conversion shall be given due course by DAR without the following certifications from various agencies:

a. Certification of the Viability or Non Viability of Agricultural Land from the DA and that the land is not part of the area identified as non-negotiable for conversion or a certification as to whether the land is classified as highly restricted from conversion or not;

b. Certification that the land does not fall under the NIPAS area or is not classified as environmentally critical from the DENR. For applications for conversion involving environmentally critical areas, the DAR may issue an Order of Conversion, subject to the issuance of an ECC by the DENR.

The DENR, in coordination with the DAR, shall institute an Environmental Guarantee Fund to ensure environment protection and to provide government the financial capability to handle negative impacts of the conversion;

c. Certification from the NIA stating that the area is not covered under Presidential A.O. 20, S. 1992; and

d. Certification from the HLURB that the land has been reclassified and that said reclassification is within or outside the maximum allowable limits set by law.

7. In all cases, the decision of the DAR Secretary shall be appealable to the Office of the President. The President may allow the conversion of areas considered non-negotiable for conversion only upon the favorable recommendation of the Cabinet Cluster on

Agro-Industrial Development; PROVIDED that where lands affected are irrigated, the owner/developer shall be required to replace the areas affected by an equal area of irrigated lands, whether within or outside the area/locality being applied for conversion; and PROVIDED FURTHER that such conversion shall not adversely affect the irrigation system.

SEC. 2. *Definition of Terms.* As used in and for purposes of this Administrative Order, the following terms shall mean:

Agricultural Lands refer to lands devoted to agricultural activity and not classified as mineral, forest, residential, commercial or industrial land (Sec. 3 (c), RA 6657).

Aquifer Recharge Areas refer to sources of water replenishment where rainwater or seepage actually enters the aquifers. Aquifers are sources of water from the ground.

Environmentally Critical Areas refer to areas declared by law as: a) areas for natural parks, watershed reserves, wildlife preserves, and sanctuaries; b) areas set aside as aesthetic potential tourist spots; c) areas which constitute the habitat for any endangered or threatened species of indigenous Philippine wildlife (flora and fauna); d) areas of unique historic, archeologic, or scientific interests; e) areas which are traditionally occupied by cultural communities and tribes; f) areas with critical slopes; g) areas frequently visited and/or hard hit by natural calamities (geologic hazards, floods, typhoons and volcanic activities); h) areas classified as prime agricultural lands; i) recharge areas of aquifers; j) water bodies; k) mangrove areas; l) coral reefs; m) mossy and virgin forests; n) river banks; and o) swamp forests and marshlands.

Highly Restricted Areas Within Network of Protected Areas for Agricultural Development refers to the most efficient agricultural land that can be grown to a wide range of crops with minimum to moderate level of farm management requirement.

Land Use refers to the manner of utilization of land, including its allocation, development and management.

Land Use Conversion refers to the act or process of changing the current use of a piece of agricultural land into some other use.

Land Use Plan refers to a document embodying a set of policies accompanied by maps and similar illustrations which represent the community-desired pattern of population distribution and a proposal for the future allocation of land to the various land-using activities. It identifies the allocation, character and extent of the area's land resources to be used for different purposes and includes the process and the criteria employed in the determination of the land use.

Network of Protected Areas for Agriculture (NPAA) refers to land reserved for agricultural activities. The specific types of land reserved for agricultural activities covered by the NPAA are:

- a. All irrigated and potentially irrigable land;
- b. All alluvial, plain land that are highly suitable for agricultural production and/or can be devoted to food production;
- c. All sustainable land that are traditional sources of food;
- d. All crop land that support the existing economic scale of production required to sustain the economic viability of existing agricultural infrastructure and agro-based enterprises in the province or region;
- e. All productive land in the low-calamity risk areas that are suitable for the production of economic trees and other cash crops; and
- f. All agricultural land that are ecologically fragile and whose conversion will result in serious environmental problems.

National Integrated Protected Areas System is the classification and administration of all designated protected areas to maintain essential ecological processes and life-support systems, to preserve genetic diversity, to ensure sustainable use of resources found

therein, and to maintain their natural conditions to the extent possible.

Premature Conversion of Agricultural Land means the undertaking of any development activities whose results will modify or alter the physical characteristics of the agricultural lands to render them sustainable for non-agricultural purposes without an approved order of conversion from the DAR.

Prime Agricultural Lands refer to lands that can be used for various or specific agricultural activities and can provide optimum and sustainable yield with a minimum of inputs and development cost as determined by the DA.

Protected Areas refer to identified portions of land and water set aside by reason of their unique physical and biological significance, managed to enhance biological diversity, and protected against destructive human exploitation.

Reclassification of Agricultural Lands refers to the act of specifying how agricultural lands shall be utilized for non-agricultural uses such as residential, industrial, commercial, as embodied in the land use plan, subject to the requirements and procedure for conversion. It also includes the reversion of non-agricultural lands to agricultural use (Joint HLURB, DAR, DA, DILG Memorandum Circular, s. 1995).

Regional Agri-Industrial Growth Centers are specific locations in each of the country's regions outside the National Capital Region (NCR) identified for development by providing it with the full range of infrastructure/utilities needed by industries to establish operations in the countryside. The RGCs are growth centers envisioned to strengthen complementary linkages between agriculture and industry; between urban centers and rural areas; and their integration into a mutually reinforcing national system of production, distribution and exchange, and into the highly competitive international market.

Regional Growth Networks/Corridors are neighboring provinces/regions which are linked together and are identified through the collaboration and cooperation of various local government units. The linking of these areas permits the comparative advantages/strengths of each area to be shared with one another, thereby ensuring the optimum utilization of resources and the development of networks/corridors and its radiation areas.

Socialized Housing refers to housing programs and projects covering houses and lots or homelots only undertaken by the government or the private sector for the underprivileged and homeless citizens which shall include sites and services development, long-term financing, liberalized terms on interest payments, and such other benefits in accordance with RA 7279.

Special Economic Zones refer to selected areas with highly developed or which have the potential to be developed into agro-industrial, industrial, tourist/recreational, commercial, banking, investment and financial centers. An ecozone may contain any or all of the following: industrial estates, export processing zones, free trade zones, and tourist/recreational centers.

Tourism Development Areas refer to specific sites for tourism development located in areas identified as priorities in the national and regional tourism master plans as well as those designated through legislative and executive issuances as tourist spots and tourist zones which can be developed into tourism estates or integrated resort, leisure and recreation complexes, and other tourism related facilities.

Watershed refers to a catchment area or drainage basin from which the waters of a stream or stream system are drawn.

Zoning refers to the delineation/division of a city/municipality into functional zones where only specific land uses are allowed. It directs and regulates the use of all lands in the community in accordance with an approved or adopted land use plan for the city/municipality. It prescribes setback provisions, minimum lot sizes, building heights and bulk.

Zoning Ordinance refers to a local legislation approving the development control/zoning plan and providing for the regulations and other conditions, on the uses of land including the limitation on the infrastructures that may be places thereon within the territorial jurisdiction of a city or municipality.

SEC. 3. *Monitoring Compliance with Sec. 20 of RA 7160.* The implementation of Sec. 20 of R.A. No. 7160 authorizing cities and municipalities to reclassify agricultural lands into non-agricultural uses shall observe the guidelines set by the Joint HLURB, DAR, DA and DILG Memorandum Circular, s. 1995, pursuant to M.C. 54, s. 1993 from the Office of the President.

SEC. 4. *Penalties and Sanctions.* The following prohibited acts, defined and penalized in related laws and administrative issuances, specifically: RA 6657 (Comprehensive Agrarian Reform Law), RA 7586 (National Integrated Protected Areas System Law), Executive Order 184 (Creation of Socialized Housing One-Stop Processing Centers), Executive Order 648 (Reorganizing the Human Settlements Regulatory Commission, now the Housing and Land Use Regulatory Board), DAR Administrative Order 12 (1994), DAR-DOJ Administrative Order 4 (1993) and 5 (1994), DA Administrative Order 2 (1992), and DENR Administrative Order 96-37 (1996) shall apply to this Administrative Order:

1. The conversion by any landowner of his agricultural land into non-agricultural use with the intent to avoid the application of RA 6657 to his landholdings and to dispossess the tenant farmers of the land tilled by them;

2. The sale, transfer, conveyance or change of the nature of lands outside of urban centers and city limits either in whole or in part after the effectivity of RA 6657;

3. Squatting, mineral exploration, or otherwise illegally occupying any land inside protected areas;

4. Constructing or maintaining any kind of structure, fence, or enclosures and conducting any business enterprise without permit inside protected areas;

5. Failure of the developer/proponent to comply with his undertaking or socialized housing project;

6. Misrepresentation or concealment of material facts in the application for land use conversion, and any other violations of the rules and regulations which are material to the grant of the conversion;

7. Failure to implement and complete the land development of the area approved for conversion within the specified time;

8. Knowingly or wilfully converting any agricultural land without the approval of the DAR;

9. Misrepresentation or concealment of material facts for the issuance of the Certificate of Eligibility for Conversion (CEC) by the DA, or any attempt to misrepresent or conceal any material fact for the issuance of a CEC;

10. Any project or activity which has been classified as environmentally critical and/or located in an environmentally critical area established and/or operating without a valid Environmental Compliance Certificate (ECC) from the DENR;

11. Projects violating ECC conditions, environmental management plans (EMP) or rules and regulations pertaining to the environmental impact statement (EIS) system; and

12. Misrepresentations in EIS/IEE (Initial Environment Examination) or any other documents submitted by the proponent pursuant to DENR A.O. 96-37.

SEC. 5. *Transitory Provisions.* The pertinent government agencies are hereby directed to harmonize and amend their procedures and guidelines on land use and land use conversion

based on the principles enunciated herein within sixty (60) days from the effectivity of this Order.

The following agencies are also mandated to perform the following functions towards the full implementation of this Order within six (6) months from the effectivity hereof:

1. The Department of Agriculture shall:

a. Update and revise the Network of Protected Areas for Agriculture, including the maps, taking into account the provisions of this Order;

b. Identify criteria for certifying that the land has ceased to be economically sound and suitable for agriculture;

c. Design, in consultation with DAR, DENR, NEDA, HLURB, DTI and DOT, the social benefit cost analysis which will be used in evaluating lands prior to the issuance of the CEC; and

d. The National Irrigation Administration of the DA shall prepare and update maps of irrigated and irrigable lands that shall be protected from and non-negotiable for conversion.

2. The Department of Environment and Natural Resources shall:

a. Prepare and/or validate maps of the initial components of the NIPAS, including watershed and aquifer areas, in consultation with and active support from local government units; and

b. Identify and map environmentally critical areas subject of an EIA or ECC, in consultation with and active support from local government units.

3. The Department of Agrarian Reform shall identify lands already issued a: 1) Notice of Valuation under the Compulsory Acquisition (CA), or 2) Voluntary Offer to Sell (VOS) process, or 3) lands subject of a perfected agreement between the landowner and

the beneficiaries under Voluntary Land Transfer (VLT) or Direct Payment Scheme (DPS) under CARP.

4. The Housing and Land Use Regulatory Board shall, pursuant to M.C. 54 (1993) from the Office of the President and in coordination with DA, DAR, DILG, NEDA, League of Provinces, League of Cities and League of Municipalities, in consultation with People’s Organizations and NGOs, design and install a monitoring and evaluation system for the reclassification of agricultural lands into non-agricultural uses.

5. The Department of Interior and Local Government shall, in coordination with HLURB, cause the LGUs’ immediate compliance with the provisions for the formulation and updating of their respective comprehensive land use plans, to be reviewed and approved by the HLURB or the Sangguniang Panlalawigan, pursuant to EO 72 (1993).

In the absence of a Presidential Approval of the delineation of irrigated and irrigable lands non-negotiable for conversion, the DA’s Network of Protected Areas for Agriculture shall govern.

SEC. 6. *Repealing Clause.* All other issuances inconsistent herewith are hereby repealed or modified accordingly.

SEC. 7. *Effectivity Clause.* This Administrative Order shall take effect ten (10) days after its publication in two (2) national newspapers of general circulation.

DONE in the City of Manila, this 9th day of October in the year of Our Lord, Nineteen Hundred and Ninety-Seven.

(Sgd.) FIDEL V. RAMOS
President of the Philippines

By the President:

(Sgd.) RUBEN D. TORRES
Executive Secretary

LETTER OF INSTRUCTIONS

LETTER OF INSTRUCTION NO. 46

TO: Secretary Conrado Estrella
Department of Agrarian Reform

In the implementation of the Government's Land Reform Program pursuant to Presidential Decree No. 27, you are required to --

1. Immediately set up pilot projects in the most strategic areas, if possible in all the regions where tenancy has been generating social unrest.

If possible, set up one pilot projects in each of the provinces in Central Luzon — Nueva Ecija, Pampanga, Tarlac, Bulacan.

Prepare the program for these pilot projects, especially the funding requirements for the administrative units, and the credit needs of the farmers and other support services such as roads and other infrastructures.

2. In the implementation of the program, the needs of the farmers for home lots should not be overlooked, and appropriate measures should be taken along this line.

It is necessary also for the Government at this time to pinpoint the areas needed for the expansion of urban communities, for housing and for industrial establishments.

Hence, in the implementation of the land reform program the requirements of these equally important program of the government should be taken into consideration.

3. If your experience after operating within the limited spheres of the pilot projects points to the necessity of implementing Presidential Decree No. 27 by phases, you shall be guided in the implementation of the program in each region or province by the following priorities:

First Priority : -- In landed estates or landholdings larger than 24 hectares.

Second Priority : -- In landholding of 24 hectares and less but not below 12 hectares.

Third Priority : -- In landholding of 12 hectares and less.

These priorities will provide the small landowners, who constitute part of the social middle class, with time to adjust their economic life plans.

These instructions are issued to ensure the efficient and orderly administration and implementation of the Land Reform Program.

Done in the City of Manila, this 7th day of December, in the year of Our Lord, nineteen hundred and seventy-two.

(Sgd.) FERDINAND E. MARCOS
President of the Philippines

LETTER OF INSTRUCTIONS NO. 143

TO: Secretary Alejandro Melchor
Executive Secretary

Secretary Conrado Estrella
Department of Agrarian Reform

Secretary Arturo S. Tanco, Jr.
Department of Agriculture & Natural Resources
(The Director, Bureau of Agricultural Extension)

Governor Gregorio Licaros
Central Bank of the Philippines

Mr. Basilio Estanislao
President, Land Bank

Secretary Jose Roño
Department of Local Governments & Community Development

(Undersecretary Orlando Sakay
Undersecretary for Cooperatives

Undersecretary Rosendo Marquez
Undersecretary for Community Development)

WHEREAS, I have repeatedly given instructions for the speedy implementation of Presidential Decree No. 27, otherwise known as the Tenant's Emancipation Act, which extended land reform program to the small landholdings devoted principally to rice and corn and tilled by tenant-farmers;

WHEREAS, surveys undertaken by the government show that 95.4% of our landowners are among those holding less than 12 hectares and that 69.9% of our tenant-farmers are tillers in these small landholdings of less than 12 hectares;

WHEREAS, the government, although eager to implement a program of land reform by extending its operations to these small landholdings has been conscious as well of the fact that these landowners holding small parcels of land constitute part of the economic middle class, which we are trying to build and therefore deserve as much consideration as the tenants themselves;

WHEREAS, for this reason studies have been continuing in order not to create an economic dislocation whereby while we are helping the tenants we are impoverishing this particular group of landowners;

WHEREAS, under Presidential Decree No. 27, the mode of payment specified calls for payment by the tenant-farmers to the landowners the total cost of the land, including interest at the rate of six (6) per centum per annum in fifteen (15) years in fifteen (15) equal annual amortizations;

WHEREAS, under Presidential Decree No. 251, other modes of payment have been provided, namely:

“1. Cash payment of 10% and balance in 25-year tax-free 6% Land Bank bonds;

“2. Payment of 30% in preferred shares of stock issued by the bank and balance in 25-year tax-free 6% Land Banks bonds;

“3. Full guarantee on the payment of the fifteen (15) equal annual amortizations to be made by the tenant/farmers;

“4. Payment through the establishment of annuities or pensions with insurance;

“5. Exchange arrangement for government stocks in government-owned or controlled corporations or private corporations where the government has holdings;

“6. Such other modes of settlement as may be further adopted by the Board of Directors and approved by the President of the Philippines.”

WHEREAS, it is my earnest desire that the actual tillers of the land, the tenant-farmers, shall be the actual owners of the land tilled by them soonest, but at the same time the small landowners shall not be impoverished by depriving them of their land which may be their only source of income, and if deprived should receive the assistance of the government;

NOW, THEREFORE, and in view of my earnest desire to implement fully the Land Reform Program as set forth in Presidential Decree No. 27, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers in me vested by the Constitution as Commander-in-Chief of the Armed Forces of the Philippines, and pursuant to Proclamation No. 1081, dated September 21, 1972, and General Order No. 1, dated September 22, 1972, as amended, hereby prescribe the following policies or guidelines in the implementation of land reform program, especially with respect to the small landholdings:

(1) That as a basic policy, the actual tillers of the land, the tenant-farmers, in agricultural land principally devoted to rice and corn production, shall be the actual owners of the land tilled by them; subject to the following guidelines:

(a) That in pursuance of this policy the absentee landowners shall transfer to their tenants their landholdings regardless of area, no matter how small; and

(b) That the absentee landowners shall be compelled to do so if they (the absentee landowners) are found to have a source of income other than their landholdings or landholdings.

(2) In determining who is an absentee landlord, the Department of Agrarian Reform shall ascertain if the absence of such landlord is on account of circumstances beyond his control such as having been driven from the land by fortuitous circumstances or forces beyond

his control, services in the Armed Forces of the Philippines or other branches of the government.

(a) If the absentee landowner falling under this category has been actually tilling the land before being compelled to abandon the tilling of the land as provided in the immediately preceding paragraph, then he shall not be considered an absentee landlord as referred to in this Letter of Instructions;

(b) If in the apportionment of the land according to Presidential Decree No. 27, which reserves 7 hectares for the landowner if he tills part of his landholdings or intends to till part thereof, and allocates an area not exceeding 5 hectares for the tenant-farmer, if the land is not irrigated, and 3 hectares if irrigated, there will not be enough land to be allocated to the tenant or tenants in the same landholding, the Government shall encourage the organization or establishment of a cooperative composed of both the landowner himself and his tenant or tenants with the income from said land apportioned by them in accordance with their respective participation in its cooperative effort.

In order to ensure immediate implementation of these policies and guidelines, I direct the Executive Secretary, the Secretary of the Department of Agrarian Reform, the Secretary of the Department of Finance, the Secretary of Agriculture and Natural Resources, the Governor of the Central Bank, the President of the Land Bank, the Secretary of the Department of Local Governments and Community Development, the Undersecretary for Cooperatives and the Undersecretary for Community Development and all other agencies of the government whose cooperation is considered necessary by the Secretary of Agrarian Reform and the Agrarian Reform Fund Council to conduct an immediate survey which shall, among others, determine:

- (1) The absentee landowners as envisioned in this Letter of Instructions;
- (2) The absentee landowners with no other source of income and those with the other source of income;

(3) The absentee landowners who have a history of tilling their own landholdings but were compelled to abandon their farming activities in view of circumstances beyond their control and as specified in this Letter of Instructions;

(4) Those landholdings where the organization of a cooperative composed of the landowner and his tenant or tenants is the most feasible measure to resolve conflicting interests of landowner and tenant-farmer;

(5) Those landholdings or portions thereof in which the landowner may have a strong emotional attachments for having been the site of his home or ancestral home of the landowner;

(6) How many of these absentee landowners are in the government service;

(7) How many of these landowners are retirees from the government service or from employment in private firms.

You will likewise ascertain:

(1) Whether or not the 6% per annum income from agricultural rice and corn land as earlier reported is in fact the actual earning from these lands;

(2) Whether or not there has been an increase in production in areas where the land reform program has been implemented, in general, and specifically in the small landholdings.

The term “small landholdings” as used in this Letter of Instructions shall mean landholdings of 24 hectares and less than 24 hectares.

Pilot areas shall be established, preferably in one town in Nueva Ecija, one town in Pangasinan, one town in the Ilocos Region and in other municipalities in other provinces where the group may deem it necessary.

The Executive Secretary shall convene a meeting of the officials specified herein immediately to implement these instructions and a report will be submitted to me with the recommendations before the end of November, 1973.

Done in the City of Manila, this 31st day of October, in the year of Our Lord, Nineteen Hundred and Seventy-Three.

(Sgd.) FERDINAND E. MARCOS
President of the Philippines

LETTER OF INSTRUCTIONS NO. 226

TO: The Secretary of National Defense

The Secretary of Agrarian Reform

WHEREAS, some tenant-farmers, through some clever acts, schemes or strategies of landowners by themselves or with the aid of others, including government officials, are still being ousted or ejected from, or dispossessed of, the lands being tilled by them in contravention of decrees, laws, and orders pertaining to the land reform program of the Government;

WHEREAS, these acts against the tenant-farmers cannot be tolerated or sanctioned by the Government.

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, do hereby order:

1. The Secretary of National Defense and the Secretary of Agrarian Reform to strictly enforce the decrees, laws and orders prohibiting the ouster, expulsion and ejection of tenants and any other acts of dispossessing the tenant-farmers of the land tilled by them;

2. The Secretary of National Defense and the Secretary of Agrarian Reform to take measures to ensure the prompt and speedy prosecution of whoever violates the decrees, laws and orders prohibiting the expulsion, ouster or ejection of tenants or dispossessing them of the land tilled by them.

Done in the City of Manila, this 16th day of November, in the year of Our Lord, nineteen hundred and seventy-four.

(Sgd.) FERDINAND E. MARCOS
President of the Philippines

LETTER OF INSTRUCTIONS NO. 227

TO: The Secretary of Agrarian Reform

In order to accelerate the implementation of the agrarian reform program, you are hereby directed:

1. To immediately extend the present operations implementing the land reform program pursuant to Presidential Decree No. 27 down to landholdings of over seven (7) hectares.

2. To make an inventory of all abandoned private agricultural lands devoted primarily to the production of rice and corn (which are hereby declared covered by Presidential Decree No. 27).

In implementing this Letter of Instructions, you are empowered to call on any government agency for assistance to insure the orderly administration and implementation of this instruction.

Done in the City of Manila, this 16th day of November, in the year of Our Lord, nineteen hundred and seventy-four.

(Sgd.) FERDINAND E. MARCOS
President of the Philippines

LETTER OF INSTRUCTION NO. 253

TO: Secretary of Agrarian Reform

Chairman, Board of Trustees, Land Bank of the Philippines

President, Land Bank of the Philippines

WHEREAS, Nueva Ecija, has been designated since 1972 as a pilot province for land reform integrated development program with emphasis on land tenure improvement, institutional development, physical development, and agricultural development;

WHEREAS, as a part of this integrated approach to land reform, barrio General Ricarte of Llanera, Nueva Ecija, has also been chosen as the site for a pilot agricultural cooperative settlement;

WHEREAS, the implementation of the agricultural cooperative settlement will not only translate into reality the integrated approach to agrarian reform but will also substantially increase the farm family's income;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, do hereby order:

1. The Secretary of Agrarian Reform to carry out a land consolidation scheme within the project area and allocate the farmlots as well as the homelots in accordance with the integrated development plan for this pilot projects;

2. The Chairman of the Board of Trustees of the Land Bank and the President of the Land Bank to finance under any of the reorganized modes of settlement mentioned in P.D. No. 251 the acquisition of all landholdings within the project area; Provided, that the repayment to the Land Bank of the total cost thereof shall be amortized by General Ricarte Agricultural Cooperative and the tenant-farmers pursuant to P.D. No. 27 and other related decrees or orders; Provided, further, that in the retitling of the lands thus acquired such arrangement to be effected shall always give due

regard to the rights conferred upon the tenant-farmers as owners of the land they till pursuant to P. D. No. 27.

Done in the City of Manila, this 19th day of February, in the year of Our Lord, nineteen hundred and seventy five.

(Sgd.) FERDINAND E. MARCOS
President of the Philippines

LETTER OF INSTRUCTIONS NO. 273

TO : Secretary Conrado F. Estrella
Department of Agrarian Reform

Secretary Cesar Virata
Department of Finance

Secretary Jose A. Roño
Department of Local Government and Community
Development

Mr. Basilio Estanislao
President, Land Bank of the Philippines

WHEREAS, on November 16, 1974, I ordered the Department of Agrarian Reform to extend its operations implementing Presidential Decree No. 27 down to landholdings of over seven (7) hectares from the previous limit of 24 hectares;

WHEREAS, it is the policy of the Government to extend all possible assistance to landowners who may be dispossessed of their landholdings as a consequence of the land reform program of the Government in order to help them make adjustments in their own economic planning, and to prevent possible economic difficulties or dislocation;

WHEREAS, a Committee formed to consider measures geared towards these ends has recommended, among others, that the Government provide bigger cash payments for the landholdings of small landowners;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, do hereby order the following:

1. Landowners, whose total tenanted rice and/or corn landholdings exceed seven (7) hectares but are less than 24 hectares, shall be paid by the Land Bank of the Philippines in cash equivalent

to twenty percent (20%) of the cost of the land and the balance in 25-year-tax-free Land Bank bonds.

In addition, the landowners shall be entitled to any one of the following:

a. Reduction of the present interest rate of twelve percent (12%) to ten percent (10%) on loans, if he borrows or obtain loans from the Land Bank for investment purposes, using his bonds as collateral for the loans;

b. A larger cash payment for any of the following purposes:

- 1) If the landowner desires a larger cash payment for the education of his children, he shall be entitled to an additional cash payment of not more than ten percent (10%) but in no case shall the total cash payment be more than thirty percent (30%) of the total cost of his land, and this additional cash payment shall be deposited in a bank to be withdrawn only upon presentation of the necessary statements and documents attesting to the enrolment of his children in a duly recognized school here or abroad;
- 2) If the landowner desires a larger cash payment for the security of the future of his children, not education, such as insurance, he shall be entitled to an additional cash payment of not more than ten percent (10%) but in no case shall the total cash payment be more than thirty percent (30%) of the total cost of his land; but in such a case, the insurance payments shall be made directly by the Land Bank to the insurer, preferably an insurance company which is a member of the Cooperative Insurance System of the Philippines created under Presidential Decree No. 317. It is hereby understood that the maximum payment of the insurance shall not exceed ten percent (10%) of the value of the land.

- 3) If the landowner desires larger cash payment for housing purposes for his family, he shall likewise be entitled to an additional cash payment of not more than ten percent (10%), but in no case shall the total cash payments exceed thirty percent (30%) of the total cost of his land, and in such a case, the Land Bank shall work out a plan for the construction of the house for his family. The additional ten percent (10%) of the cash payment due to the landowner shall be placed in the Land Bank for the account of the landowner and may, in the meantime, be used by the Bank or be invested by the Bank in a viable investment project of the landowner.

2. Payments to landowners covered by this Letter of Instructions shall be exempt from the capital gains tax and the interest that shall accrue therefrom shall be exempt from income tax.

3. No fee, premium or tax of any kind shall be charged or imposed in connection with the issuance and registration of instruments or documents under this Letter of Instructions, nor shall postage dues and mailing charges be required on all matters connected herewith.

Done in the City of Manila, this 7th day of May, in the year of Our Lord, nineteen hundred and seventy-five.

(Sgd.) FERDINAND E. MARCOS
President of the Philippines

LETTER OF INSTRUCTIONS NO. 370

TO: Secretary of Agrarian Reform

Chairman, Board of Trustees
Land Bank of the Philippines

President, Land Bank of the Philippines

Secretary of National Defense

WHEREAS, as already stated in LOI 253, Nueva Ecija has been designated since 1972 as a pilot province for land reform integrated development program with emphasis on land tenure improvement, institutional development, physical development, and agricultural development;

WHEREAS, as part of this integrated approach to land reform in the said province, the Jacinto Estate situated in the municipality of Talavera, Province of Nueva Ecija, and embraced in TCT Nos. NT-78030, NT-78031 and NT-78032 of the Registry of Deeds for Nueva Ecija, has been chosen by the Department of Agrarian Reform since 1973 as a Pilot Land Consolidation Project of the Agrarian Reform Program of the Government, the principal features of which are: the promotion of joint farming and multiple croppings with sets of standards on rice culture, and the development of institutions such as compact farms and cooperatives designed to substantially increase the farm family's income;

WHEREAS, the acquisition of the entire area of the aforesaid Jacinto Estate is necessary for the successful implementation of the land consolidation project;

WHEREAS, one of the co-owners of the Jacinto Estate is Mr. Fernando Jacinto who together with his sons, as stated in LOI No. 39 dated November 9, 1972, "xx have refused to come back to the Philippines notwithstanding xx repeated requests to settle their obligations to the Government which may amount to about ₱400 million xx", and in order to protect the interest of the Government, the

Secretary of National Defense has been “xx directed to immediately take over custody and possession of all assets of the Jacinto Family xx”, which includes, among others, the pro-indiviso share of said Mr. Fernando Jacinto in the Jacinto Estate;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, do hereby order:

1. The Secretary of Agrarian Reform to carry out a land consolidation scheme within the project area and allocate the farmlots as well as the homelots in accordance with the integrated development plan for this project;

2. The Chairman of the Board of Directors of the Land Bank and the President of the Land Bank to finance under any of the recognized modes of settlement mentioned in P. D. No. 251, the acquisition of the entire area of the aforementioned Jacinto Estate: Provided, that the tenant-farmers and the farmer’s cooperative in which they are members shall amortize the repayment to the Land Bank of the total cost of the Estate pursuant to P. D. No. 27 and other related decrees or orders: Provided, further, that in the retitling of the lands thus acquired such arrangement to be effected shall always give due regard to the rights conferred upon the tenant-farmers as owners of the land they till pursuant to P. D. No. 27, the area of the farmlot and the homelot, however, shall be in accordance with the land consolidation scheme and integrated development plan for this pilot project.

3. The Secretary of National Defense to sign for the Government any deed or Instrument that may be required by the Land Bank in the acquisition of the pro-indiviso share of Mr. Fernando Jacinto in the aforesaid Jacinto Estate.

Done in the City of Manila, this 3rd day of February, in the year of Our Lord, nineteen hundred and seventy-six.

(Sgd.) FERDINAND E. MARCOS
President of the Philippines

LETTER OF INSTRUCTIONS NO. 474

TO: The Secretary of Agrarian Reform

WHEREAS, last year, I ordered that small landowners of tenanted rice/corn lands with areas of less than twenty-four hectares but above seven hectares shall retain not more than seven hectares of such lands except when they own other agricultural lands containing more than seven hectares or lands used for residential, commercial, industrial or other urban purposes from which they derive adequate income to support themselves and their families;

WHEREAS, the Department of Agrarian Reform found that in the course of implementing my directive there are many landowners of tenanted rice/corn lands with areas of seven hectares or less who also own other agricultural lands containing more than seven hectares or lands used for residential, commercial, industrial or other urban purposes where they derive adequate income to support themselves and their families;

WHEREAS, it is therefore necessary to cover said lands under the Land Transfer Program of the government to emancipate the tenant-farmers therein.

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, do hereby order the following:

1. You shall undertake to place under the Land Transfer Program of the government pursuant to Presidential Decree No. 27, all tenanted rice/corn lands with areas of seven hectares or less belonging to landowners who own other agricultural lands of more than seven hectares in aggregate areas or lands used for residential, commercial, industrial or other urban purposes from which they derive adequate income to support themselves and their families.

2. Landowners who may choose to be paid the cost of their lands by the Land Bank of the Philippines shall be paid in accordance with the mode of payment provided in Letter of Instructions No. 273 dated May 7, 1973.

Done in the City of Manila, this 21st day of October in the year of Our Lord, nineteen hundred and seventy-six.

(Sgd.) FERDINAND E. MARCOS
President of the Philippines

LETTER OF INSTRUCTIONS NO. 547

TO: The Secretary of Agrarian Reform

The Secretary of Agriculture

The Secretary of Local Government and Community
Development

The Secretary of Public Highways

The Secretary of Public Works, Transportation and
Communications

The Secretary of Health

The Secretary of Economic Planning

The Commissioner of Budget

The President, Land Bank of the Philippines

The Administrator, National Irrigation Administration

The President, Food Terminal Incorporated

In line with the government policy of fully developing the quality of life in rural communities, several Land Settlement projects have been planned, and three projects are ready for implementation in Agusan del Sur, Bukidnon, and Capiz. A loan to finance these three projects has been granted by the International Bank for Reconstruction and Development.

The successful implementation of these three projects depends upon very close coordination of efforts of the different agencies that are involved. In order to ensure their success, there is hereby established the following machinery for implementation:

1. An inter-agency Project Coordinating Committee (IPCC) is hereby created to be composed of representatives from the following agencies:

Department of Agrarian Reform

Department of Agriculture

Department of Local Government and Community Development

Department of Public Highways

Department of Public Works, Transportation and Communications

Department of Health

National Economic and Development Authority

Budget Commission

Land Bank of the Philippines

National Irrigation Administration

Food Terminal Incorporated

The representatives to the Committee shall have the rank of at least Bureau Directors or equivalent. The representative of the Department of Agrarian Reform shall act as Chairman of the Committee.

The IPCC shall have the following functions:

- a) to review and approve the annual work plan of the projects;
- b) to review and recommend budgetary appropriations required to implement the project;

c) to decide particular responsibilities of participating agencies and to resolve inter-agency differences and difficulties arising from the implementation of the project; and

d) such other functions as may be required for the successful implementation of the project.

2. Direct management of the project shall be undertaken by a Central Project Management Unit (CPMU), which the Secretary of Agrarian Reform shall organize with personnel of the participating agencies, and such additional personnel as may be required. In addition, participating agencies shall make available and assign to the three settlement areas in Agusan del Sur, Bukidnon, and Capiz, such trained personnel as may be required by the project, who shall, during the period of assignment, be under the administrative control and supervision of the Department of Agrarian Reform, but with technical supervision provided by their parent agencies. The CPMU shall have the following functions:

a) to supervise the implementation of the project in the three settlement areas;

b) to prepare an annual work and financial for the project;

c) to evaluate the budgetary appropriations required in the implementation of participating agency portions of the project;

d) to submit from time to time, to the IPCC, reports on the progress of implementation of the project; and

e) such other functions as the Secretary of Agrarian Reform may assign.

3. The participating agencies shall incorporate in their annual budgets the programs or projects needed to support the Land Settlement project, as agreed in the deliberations of the Inter-agency Project Coordinating Committee.

4. The payment of allowances/honoraria to various committee members and agency personnel assigned to the project out of project funds is hereby authorized, subject to government accounting and auditing regulations.

Done in the City of Manila this 2nd day of June in the year of Our Lord, nineteen hundred and seventy-seven.

(Sgd.) FERDINAND E. MARCOS
President of the Philippines

LETTER OF INSTRUCTIONS NO. 571

ON THE COST OF AGRICULTURAL CREDIT

TO: The Secretary of Agrarian Reform

The Secretary of Agriculture

The Secretary of Local Government
and Community Development

The Governor of the Central Bank of the Philippines

The President of the Land Bank of the Philippines

1. You are hereby constituted into a Committee, headed by the Secretary of Agrarian Reform, to evaluate the payments made by former-borrowers in connection with Masagana 99 and other special financing programs, with the end in view of recommending measures to (a) reduce effective cost to farmer-borrowers and (b) reduce the number and amount of compulsory payments and deductions tied to special financing programs administered by rural banks.

2. The following payments shall be taken into consideration for purposes of this study: (a) Central Bank charges in special time deposits and rediscounting, (b) rural bank interest spread on loans, (c) barrio savings fund deduction, (d) barrio guaranty fund payment, (d) Land Bank agricultural guaranty fund premium, and (e) all other payments made by farmer-borrowers that are linked to Masagana 99 or other special financing programs.

3. A report with recommendations shall be submitted within a month of date hereof.

DONE in the City of Manila, this 8th day of July, nineteen hundred and seventy-seven.

(Sgd.) FERDINAND E. MARCOS
President of the Philippines

LETTER OF INSTRUCTION NO. 650

TO: Secretary of Agrarian Reform

Chairman, Board of Directors, Land Bank of the Philippines

President, Land Bank of the Philippines

WHEREAS, the establishment of pilot land consolidation projects under the Agrarian Reform Program in the provinces of Nueva Ecija, Pampanga, Camarines Sur and Pangasinan, has transformed self-reliant and economically and socially stable farmers, and has brought about maximum land utilization and development, and increased farm production, through multiple cropping and crop sequencing, and farm income through cooperative endeavors;

WHEREAS, the setting up of such land consolidation projects needs the attention and encouragement of the government; and

WHEREAS, the acquisition of the 638-hectare property of landowner Emerito M. Ramos in Arayat and Candaba, Pampanga, is necessary in order to put up a modern land consolidation project in the province similar to that of the General Ricarte cooperative settlement in Llanera, Nueva Ecija;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, do hereby order:

1. The Secretary of Agrarian Reform to carry out a land consolidation scheme in the property of Emerito M. Ramos and allocate the farmlots and homelots therein in accordance with the integrated development plan prepared for the project; and

2. The Chairman of the Board of directors of the Land Bank and the President of the Land Bank to finance under any of the recognized modes of settlement provided in Presidential Decree No. 251, the acquisition of the entire area of the aforementioned Ramos property. Provided, That, the tenant-farmers therein and landless

farmer-members of the HUK VETS Association, Inc., as well as the farmer's cooperative of which they are members shall amortize to the Land Bank the total cost of the property in accordance with Presidential Decree No. 27, and other related decrees or orders: Provided, further, That in the retitling of the lands thus acquired such arrangement to be effected shall always give due regard to the rights conferred upon the tenant-farmers and HUK VETS farmer-members as owners of the land they till, the area of the farmlots and the homelots to conform to the land consolidation scheme and integrated development plan prepared for the said project.

Done in the City of Manila, this 5th day of January, in the year of Our Lord, nineteen hundred and seventy-eight.

(Sgd.) FERDINAND E. MARCOS
President of the Philippines

LETTER OF INSTRUCTIONS NO. 1035

TO: The Minister of Labor and Employment

The Minister of Agrarian Reform

The Chairman, Philippine Coconut Authority

WHEREAS, agricultural laborers, farmworkers and tenants in the coconut industry are affected by the current depressed prices of coconut products in the international market;

WHEREAS, it is imperative that the said workers and laborers be extended full assistance by the government during this period of depressed prices.

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Republic of the Philippines, do hereby order the following:

1. The Minister of Labor and Employment to ensure that all applicable provisions of the Labor Code of the Philippines and other labor and social legislations enacted for the benefit of agricultural laborers in the coconut industry, including but not limited to, the laws and provisions on wages, hours and days of work, medical and dental services, occupational safety and health, employee's compensation, medical, manpower development and training, social security and retirement benefits;

2. The Minister of Agrarian Reform to see to it that full protection is afforded to all the agricultural tenants in the coconut industry and that the provisions of tenancy and other agrarian laws, particularly, but not limited to those that govern security of tenure, crop sharing, and possibly leasehold, are strictly and thoroughly implemented;

3. The Chairman of the Board of the Philippine Coconut Authority to draw up with the Philippine Coconut Producers Federation, Inc. (COCOFED) programs for the extension of more

social benefits to agricultural workers, laborers and tenants in the coconut industry, such as scholarships and training programs.

Done in the City of Manila, this 3rd day of June, in the year of Our Lord, nineteen hundred and eighty.

(Sgd.) FERDINAND E. MARCOS
President of the Philippines

LETTER OF INSTRUCTION NO. 1180

TO: The Minister of Agrarian Reform

The Chairman of the Board of Directors
Land Bank of the Philippines

The President, Land Bank of the Philippines

WHEREAS, the farmer-occupants of the 11,448.64-hectare Tabacalera Estates (Haciendas San Antonio and Sta. Isabel) in Isabela have been persistently petitioning the Government to acquire the said Estates;

WHEREAS, there is a growing agrarian unrest in said Estates and as an effective way to give the farmer-occupants peace of mind and better quality of life is to have the Government acquire the property for distribution and resale of cost to them; and

WHEREAS, majority of the petitioners are not beneficiaries of the Land Transfer Program of the Government under PD 27, but are equally deserving of government's attention and assistance in giving them the opportunity to own the land they till.

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, do hereby order the following in line with my policy of expanding the Agrarian Reform Program:

1. The Minister of Agrarian Reform to set the mechanism to determine the cost of the property and to cause the boundary and subdivision survey of the same for the proper allocation of the farmlots and homelots to the farmer-occupants therein and other landless farmers.

2. The Land Bank of the Philippines to finance the acquisition of the Estates to be paid by the farmer-beneficiaries in fifteen years of fifteen equal annual amortization at 6% interest per annum.

3. The mode of payment by the Land Bank to the landowner shall be in accordance with the provisions of PD 251, preferably 10% in cash and 90% in Land Bank bonds.

Done in the City of Manila, this 16th day of December, in the year of Our Lord, nineteen hundred and eighty-one.

(Sgd.) FERDINAND E. MARCOS
President of the Philippines

LETTER OF INSTRUCTIONS NO. 1180-A

TO: The Minister of Agrarian Reform

The Chairman of the Board of Directors

Land Bank of the Philippines

The President, Land Bank of the Philippines

WHEREAS, the farmer-occupants of the hectare Tabacalera Estates (Haciendas San Antonio and Sta. Isabel) in Isabela have been persistently petitioning the Government to acquire the said Estates:

WHEREAS, there is a growing agrarian unrest in said Estates and as an effective way to give the farmer-occupants peace of mind and better quality of life is to have the Government acquire the property for distribution and resale of cost to them; and

WHEREAS, majority of the petitioners are not beneficiaries of the Land Transfer Program of the Government under PD 27, but are equally deserving of government's attention and assistance in giving them the opportunity to own the land they till.

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, do hereby order the following in line with my policy of expanding the Agrarian Reform Program.

1. The Minister of Agrarian Reform to set the mechanism to determine the cost of the property and to cause the boundary and subdivision survey of the same for the proper allocation of the farmlots and homelots to the farmer-occupants therein and other landless farmers.

2. The Land Bank of the Philippines to finance the acquisition of the Estates to be paid by the farmer-beneficiaries in fifteen years of fifteen equal annual amortizations at 6% interest per annum.

3. The mode of payment by the Land Bank to the landowner shall be in accordance with the provisions of PD 251, preferably 10% in cash and 90% in Land Bank bonds.

DONE in the City of Manila, this 16th day of December, in the year of Our Lord, Nineteen Hundred and Eighty-One.

(Sgd.) FERDINAND E. MARCOS
President of the Philippines

LETTER OF INSTRUCTIONS NO. 1273

TO: The Minister of Agrarian Reform

The Chairman of the Board of Directors
Land Bank of the Philippines

The President, Land Bank of the Philippines

All others concerned

WHEREAS, the establishment of agrarian reform projects in various provinces has transformed self-reliant and economically and socially stable farmers, and has brought about maximum land utilization and development, and increased farm production, through cooperative endeavors;

WHEREAS, the setting up of such agrarian reform projects needs the attention and encouragement of the government; and

WHEREAS, the acquisition of the 267.0462 hectare property of Mrs. Rosa Cuenco, et al. located in Gingoog City, is necessary in order to establish another agrarian reform project.

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, do hereby order and direct:

1. The Minister of Agrarian Reform to prepare an integrated development plan for the above-mentioned property of Rosa Cuenco, et al., and to allocate the farmlots and homelots therein in accordance with said integrated development plan.

2. The Minister of Agrarian Reform and the Land Bank of the Philippines to organize and appraisal committee to be composed of representatives from each of two government financial institutions and a private appraisal firm in order to determine the reasonable valuation of the subject property in accordance with law.

3. The Land Bank of the Philippines to finance the acquisition of the property by the Misamis Oriental Free Farmers Cooperative, Inc. and its farmer-beneficiaries therein at the value determined as provided in the preceding paragraph and that said financing shall be effected only after a parcellary mapping or identification of lots occupied by the farmer-beneficiaries shall have been made by the Ministry of Agrarian Reform and after said farmer-beneficiaries jointly and severally with the said farmers' cooperative shall have acknowledged in a document their obligation to amortize to the Land Bank the value of the lots allocated to them in fifteen (15) years at 6% interest per annum.

4. The mode of financing by the Land Bank of the Philippines shall be in accordance with the provisions of Presidential Decree No. 251, preferably 10% in cash and 90% in Land Bank bonds.

Done in the City of Manila, this 27th day of October, in the year of Our Lord, nineteen hundred and eighty-two.

(Sgd.) FERDINAND E. MARCOS
President of the Philippines

LETTER OF INSTRUCTIONS NO. 1274

TO: The Minister of Agrarian Reform

The Chairman of the Board of Directors
Land Bank of the Philippines

The President, Land Bank of the Philippines

All others concerned

WHEREAS, the establishment of agrarian reform projects in various provinces has transformed self-reliant and economically and socially viable farmers, and has brought about maximum land utilization and development, and increased farm production, through cooperative endeavors;

WHEREAS, the setting up of such agrarian reform projects needs the attention and encouragement of the government; and

WHEREAS, the acquisition of the 574-hectare property of the Sagana Plantation, Inc. located at South Bienvenida, Kapalong, Davao del Norte, is necessary in order to establish another agrarian reform project.

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, do hereby order and direct:

1. The Minister of Agrarian Reform to carry out a land transfer operation scheme in the property of the Sagana Plantation, Inc. and allocate the farmlots and homelots therein in accordance with the integrated development plan prepared for the project;

2. The Minister of Agrarian Reform and the Land Bank of the Philippines to organize an appraisal committee to be composed of representatives from each of two government financial institution and a private appraisal firm in order to determine the reasonable valuation of the subject property in accordance with law.

3. The Land Bank of the Philippines to finance the acquisition of the property by the Davao del Norte Free Farmers Cooperative, Inc. and its farmer-beneficiaries therein at the value determined as provided in the preceding paragraph and that said financing shall be effected only after a parcellary mapping or identification of lots occupied by the farmer-beneficiaries shall have been made by the Ministry of Agrarian Reform and after the farmer-beneficiaries jointly and severally with the said farmers' cooperative shall have acknowledged in a document their obligation to amortize to the Land Bank the value of the lots allocated to them in fifteen (15) years at 6% interest per annum.

4. The mode of financing by the Land Bank of the Philippines shall be in accordance with the provisions of the Presidential Decree No. 251, preferably 10% in cash and 90% in the Land Bank bonds.

Done in the City of Manila, this 27th day of October, in the year of Our Lord, nineteen hundred and eighty-two.

(Sgd.) FERDINAND E. MARCOS
President of the Philippines

LETTER OF INSTRUCTION NO. 1275

TO: The President
Mountain State Agricultural College
La Trinidad, Benguet Province

The Minister of Agrarian Reform

WHEREAS, the land reform program of the government is one of the steps taken in attaining economic emancipation of the masses, giving to the agricultural tenants the control of their farmholdings as their units of productions;

WHEREAS, it has come to my attention that the Mountain State Agricultural College has acquired from the Province of Benguet a tract of land (TCT Nos. 16374 and 163756), a portion of which containing seven (7) hectares, more or less, has been occupied from time immemorial by more or less sixty (60) Igorot families devoting the same to the cultivation of vegetables and other food crops;

WHEREAS, these occupants-tillers deserve to be extended the benefits of the land reform program of the government by making them owner-cultivators of their respective farmholdings;

NOW, THEREFORE, and in view of my earnest desire to liberate each and every Filipino not only politically but also economically by implementing fully the land reform program, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by the Constitution, do hereby order and direct;

1. The President of the Mountain State Agricultural College to separate from the land covered by TCT No. 16374 and TCT No. 163756 a portion thereof containing seven (7) hectares, more or less, presently occupied and cultivated by some sixty (60) Igorot families and transfer the same by way of sale at cost to the actual occupant-tillers thereof in accordance with their areas of occupancy and cultivation.

2. The Minister of Agrarian Reform to undertake the census, identification and screening of the occupant-tillers and conduct the necessary boundary and subdivision survey thereof based on their actual occupancy and cultivation.

3. The Ministry of Agrarian Reform and the Mountain State Agricultural College to extend to the occupant-tillers technical assistance in the development of the areas in line with the KKK program of the government.

4. The Register of Deeds of Benguet to register the deeds of conveyance executed in favor of each occupant-tiller and issue corresponding transfer certificates of title to them free from any fee or tax whatsoever.

Done in the City of Manila, this 27th day of October, in the year of Our Lord nineteen hundred and eighty-two.

(Sgd.) FERDINAND E. MARCOS
President of the Philippines

LETTER OF INSTRUCTIONS NO. 1326

TO: THE MINISTER OF AGRARIAN REFORM
THE MINISTER OF FINANCE
THE ADMINISTRATOR, NATIONAL LAND TITLES AND
DEEDS ADMINISTRATION
THE DIRECTOR OF LANDS
THE GOVERNOR, CENTRAL BANK OF THE PHILIPPINES
THE PRESIDENT, LAND BANK OF THE PHILIPPINES
ALL CONCERNED

WHEREAS, the implementation of land transfer under Presidential Decree No. 27 has now reached the stage of land valuation and landowner's compensation;

WHEREAS, as a pre-condition to land compensation, landowners are required to comply with several documentary requirements which entail expenses;

WHEREAS, most of these requirements need action from various government agencies;

WHEREAS, the objectives of Presidential Decree No. 27 may be negated if compliance with these requirements is not facilitated;

WHEREAS, the Government is cognizant of the need to accelerate payment of landholdings covered by Presidential Decree No. 27;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by the Constitution, do hereby order and direct all government offices concerned to render technical services to all landowners who file their respective compensation claims for their lands transferred to agrarian reform beneficiaries, and to assist in the preparation, documentation and completion of all land transfer requirements, free of charge.

DONE in the City of Manila, Philippines, this 21st day of May
in the year of Our Lord nineteen hundred and eighty-three.

(Sgd.) FERDINAND E. MARCOS
President of the Philippines

LETTER OF INSTRUCTIONS NO. 1391

TO: The Minister of Finance

WHEREAS, it is the aim of government to accelerate the generation and issuance of Emancipation Patents to agrarian reform beneficiaries covered by Presidential Decree No. 27;

WHEREAS, it is also the policy of the government to assist agrarian reform beneficiaries in meeting their financial obligations specially if such obligations are pre-requisite to the registration and issuance of the Emancipation Patent;

WHEREAS, to accelerate the registration of Emancipation Patents generated for agrarian reform beneficiaries, there is a need to lighten the requirements for registration one of which is the payment of surcharges and penalties on real estate taxes which may have accrued at no fault of the agrarian reform beneficiaries.

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Republic of the Philippines, do hereby order and direct the Minister of Finance to condone all surcharges/penalties on arrearages or past dues on real estate taxes of agrarian reform beneficiaries effective from tax year 1973 or when the land was actually placed under Operation Land Transfer by the Ministry of Agrarian Reform pursuant to P.D. 27 until the date their Emancipation Patents shall have been registered by the Register of Deeds.

Done in the City of Manila, this 14th day of March, in the year of Our Lord, nineteen hundred and eighty-four.

(Sgd.) FERDINAND E. MARCOS
President of the Philippines

PROCLAMATIONS

MALACAÑAN PALACE
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

PROCLAMATION NO. 29, s. 1936

RESERVING FOR COLONIZATION PURPOSES A PARCEL OF
LAND IN THE MUNICIPALITIES OF KAPALONG AND
TAGUM, PROVINCE OF DAVAO, ISLAND OF MINDANAO

Pursuant to the provisions of Act Numbered Forty-one hundred and ninety-seven and upon the recommendation of the Director of Lands, concurred in by the Directors of Forestry, Plant Industry, Health, and Public Works, I hereby reserve for colonization purposes under the administration of the Secretary of Labor, subject to private rights if any there be, and to future survey and delimitation that may be made, the following-described parcel of the public domain situated in the Municipalities of Kapalong and Tagum, Province of Davao, Island of Mindanao, to wit:

Kapalong, Davao project No. 18-A.—South 79° W., 2,295. to point 2; due North 405 m. to point 3; due West 4,185 m. to point 4; N. 24 W. 6,840 m. to point 5; N. 30 30' E., 3,240 m. to point 6; S. 22 E., 420 m. to point 7; S. 53 W., 520 m. to point 8; S. 33 E., 420 m. to point 9; S. 34 W., 420 m. to point 10; following Sambao River upstream about 2,000 m. to point 11; S. 35 E., 560 m. to point 12; S. 64 E., 490 m. to point 13; N. 79 E., 520 m. to point 14; N. 69 E., 360 m. to point 15; N. 86 E., 440 m. to point 16; N. 75 E., 440 m. to point 17; N. 6 W., 340 m. to point 18; N. 17 W., 400 m. to point 19; N. 12 W., 380 m. to point 20; N. 27 W., 380 m. to point 21; N. 81 E., 500 m. to point 22; N. 85 E., 360 m. to point 23; S. 65 E., 320 m. to point 24; S. 85 E., 340 m. to point 25; S. 11 E., 340 m. to point 26; S. 34 W., 360 m. to point 27; S. 73 W., 360 m. to point 28; S. 2 W., 160 m. to point 29; S. 46° E., 460 m. to point 30; following creek upstream about 480 m. to point 31; N. 57 E., 400 m. to point 32; S. 17 E., 400 m. to point 33; S. 61 E., 240 m. to point 34; following creek upstream about 640 m. to point 35; following creek upstream about 280 m. to

point 36; S. 72 W., 240 m. to point 37; S. 6 E., 400 m. to point 38; S. 7 E., 560 m. to point 39; S. 49 E., 560 m. to point 40; S. 1 W., 880 m. to point 41; S. 20 W., 460 m. to point 42; S. 17 E., 200 m. to point 43; S. 35 W., 300 m. to point 44; S. 16 W., 280 m. to point 45; S. 85 E., 360 m. to point 46; S. 80 E., 360 m. to point 47; S. 82 E., 360 m. to point 48; S. 41 E., 360 m. to point 49; following Tibalog and Pantadon Creeks downstream about 440 m. to point 50; following Tibalog Creek downstream about 400 m. to point 51; N. 54 E., 400 m. to point 52; N. 88 E., 420 m. to point 53; N. 58 E., 280 m. to point 54; N. 55 E., 260 m. to point 55; S. 37 E., 320 m. to point 56; S. 63 E., 440 m. to point 57; S. 66 E., 440 m. to point 58; S. 19 E., 560 m. to point 59; N. 86 E., 440 m. to point 60; S. 62 E., 440 m. to point 61; S. 41 E., 240 m. to point 1, point of beginning.

Containing an area of two thousand nine hundred ninety-six (2,996) hectares, more or less.

Point 1, balobo 20 cm.; point 2, a point; point 5, batitinan 30 cm.; point 6, Eugenia sp. 20 cm.; point 7, alem 20 cm.; point 8, unknown 30 cm.; point 9, taluto 20 cm.; point 10, binuang 30 cm.; point 11, a point 11, a point; point 12, dao 70 cm.; point 13, w. lauan 70 cm.; point 14, malaikmo 32 cm.; point 15, dao 80 cm.; point 16, dao cm.; point 17, amugis 60 cm.; point 18, unknown 50 cm.; point 19, aglia sp. 42 cm.; point 20, balobo 30 cm.; point 21, unknown 60 cm.; point 22, balobo 30 cm.; point 23, malacatmon 100 cm.; point 24, balobo 20 cm.; point 25, Eugenia sp. 60 cm.; point 26, malasapsap 20 cm.; point 27, unknown 40 cm.; point 28, duguan 35 cm.; point 29, calamansanai 20 cm.; point 30, camagon 30 cm.; point 31, unknown 30 cm.; point 32, Diospyrus sp. 20 cm.; point 33, malasapsap 30 cm.; point 34, putian 20 cm.; point 35, a point; point 36, unknown 30 cm.; point 37, ilangilang 35 cm.; point 38, malugai 30 cm.; point 39, Eugenia sp. 20 cm.; point 40, unknown 40 cm.; point 41, kusin 20 cm.; point 42, lactob 25 cm.; point 43, malaikmo 30 cm.; point 44, unknown 35 cm.; point 45, ilangilang 40 cm.; point 46, amugis 40 cm.; point 47, unknown 30 cm.; point 48, bulakanag 25 cm.; point 49, unknown 30 cm.; point 50, balobo 20 cm.; point 51, unknown 30 cm.; point 53, taluto 60 cm.; point 53, uao 30 cm.; point 54, tipaco 30 cm.; point 55, unknown 30 cm.; point 56, narra 20 cm.; point 57,

lumbayao 50 cm.; point 58, uao 55 cm.; point 59, balobo 25 cm.; point 60, camputian 25 cm.; point 61, balobo 20 cm.

Tagum Davao project No. 23-B.—Due South 540 m. to point 2; S. 47° E., 315 m. to point 3; S. 60° E. 315 m. to point 4; S. 25° E., 360 m. to point 5; S. 51° E., 405 m. to point 6; S. 77° E., 450 m. to point 7; S. 49° E., 630 m. to point 8; S. 40° W., 945 m. to point 9; S. 27° E., 405 m. to point 10; S. 10° W., 450 m. to point 11; S. 42° W., 315 m. to point 14; S. 35° E., 450 m. to point 15; S. 57° E., 360 m. to point 16; S. 20° W., 630 m. to point 17; S. 19° E., 360 m. to point 18; S. 32° E., 585 m. to point 19; S. 10° E., 450 m. to point 20; S. 29° E., 450 m. to point 21; S. 52° E., 495 m. to point 22; S. 21° W., 540 m. to point 23; S. 27° W., 315 m. to point 24; S. 38° W., 540 m. to point 25; S. 46° W., 450 m. to point 26; S. 71° W., 315 m. to point 27; S. 17° W., 540 m. to point 28; S. 4° W., 405 m. to point 29; S. 46° E., 315 m. to point 30; S. 30° W., 630 m. to point 31; S. 55° W., 945 m. to point 32; S. 77° W., 900 m. to point 33; N. 73° W., 450 m. to point 34; N. 83° W., 495 m. to point 35; following Tuganay River downstream South about 7,380 m. to point 36; due West 3,380 m. to point 37; due North 4,720 m. to point 38; due North 4,095 m. to point 39; due East 2,520 m. to point 40; due North 3,615 m. to point 41; due North 2,415 m. to point 42; N. 79° E., 2,295 m. to point 1, point of beginning.

Containing an area of four thousand six hundred fifty-two (4,652) hectares, more or less.

Point 1, malakatmon 30 cm.; point 2, tipoko 25 cm.; point 3 amugis 50 cm.; point 4, lumbayao 20 cm.; point 5, tambalan 40 cm.; point 6, taluto 40 cm.; point 7, unknown 68 cm.; point 8, concrete monument 15 by 15 by 60 cm.; point 9, concrete monument 15 by 15 by 60 cm.; point 10, balobo 20 cm.; point 11, malabunga 50 cm.; point 12, malasantol 30 cm.; point 13, balobo 20 cm.; point 14 balobo 20 cm.; point 15, pagsahingin 25 cm.; point 16, balobo 20 cm.; point 17, balobo 20 cm.; point 18, marang 20 cm.; point 19, balobo 20 cm.; point 21, unknown 30 cm.; point 22, gubas 20 cm.; point 23, Palaquin sp. 50 cm.; point 24, malabayabas 80 cm.; point 25, unknown 20 cm.; point 26; malabayabas 20 cm.; point 27, tuai 30 cm.; point 28, ilangilang 40 cm.; point 29, malaruhat 50 cm.; point

30, balobo 20 cm.; point 31, B. L. concrete monument; point 32, not described; point 33, talisai gubat 50 cm.; point 34, magabad 30 cm.; point 35, pagsahingin 30 cm.; points 36 and 37, not described; point 38, concrete monument; point 39, 40, and 41, not described; point 42, a point.

In witness whereof, I have hereunto set my hand and caused the seal of the Commonwealth of the Philippines to be affixed.

Done at the City of Manila, this twenty-ninth day of January, in the year of Our Lord, nineteen hundred and thirty-six, and of the Commonwealth of the Philippines, the first.

[SEAL]

(Sgd.) MANUEL L. QUEZON
President of the Philippines

By the President:

(Sgd.) TEOFILO SISON
Secretary of the Interior

MALACAÑANG
Manila

PROCLAMATION NO. 82, s. 1987

DIRECTING THAT ALL PROCEEDS OF THE SALE OF NON-PERFORMING ASSETS OF THE ASSETS PRIVATIZATION TRUST BE USED EXCLUSIVELY FOR LAND REFORM

WHEREAS, the elimination of poverty, the equitable distribution of wealth, and the generation of productive self-employment is of the highest priority of this Administration;

WHEREAS, this centuries-old problem can be remedied thru a meaningful agrarian land reform program;

WHEREAS, the past regime ordered government financial institutions to extend “behest” loans to its favorites and cronies who obtained amounts unconscionably far in excess of their loan values and knowing fully well that they would never be repaid;

WHEREAS, the enterprises borne out of these behest loans have been or will be turned over by the government financial institutions to the Assets Privatization Trust for sale;

WHEREAS, initial reports indicate that the transfer value of the non-performing assets from the Philippine National Bank and the Development Bank of the Philippines to the Assets Privatization Trust is P108 billion but that their market value would only be roughly P23.8 billion;

WHEREAS, the foregoing figure does not include the non-performing assets of the National Development Co., the Philippine Loan Guarantee Corp. and other government institutions whose assets shall likewise be transferred to the Assets Privatization Trust for eventual sale;

WHEREAS, attempts for land reform in the past have failed because of lack of adequate funds to finance it;

WHEREAS, land reform has been a long-overdue measure of social justice which must be met head-on with massive funding and would provide the opportunity to put this bad money coming from the “behest loans” to good use;

NOW, THEREFORE, I, CORAZON C. AQUINO, President of the Philippines, by virtue of the powers vested in me by the Constitution, do hereby direct that all proceeds from the sale of all non-performing assets by the Assets Privatization Trust be devoted entirely and exclusively to the land reform program of the government. I direct the Departments of Agrarian Reform, Agriculture and Food, Natural Resources and Finance, the National Economic and Development Authority, and the Assets Privatization Trust to prepare a comprehensive land reform program, anchored on the utilization of the proceeds from the sale of the non-performing assets.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the Republic of the Philippines to be affixed.

DONE in the City of Manila, this 3rd day of March, in the year of Our Lord, nineteen hundred and eighty-seven.

(Sgd.) CORAZON C. AQUINO
President of the Philippines

By the President:

(Sgd.) JOKER P. ARROYO
Executive Secretary

MALACAÑANG
Manila

BY THE PRESIDENT OF THE PHILIPPINES

PROCLAMATION NO. 131, s. 1987

INSTITUTING A COMPREHENSIVE AGRARIAN REFORM PROGRAM

WHEREAS, we have proclaimed the revival and development of the full potential of Philippine agriculture to be an economic priority of our new democracy so as to provide a firm foundation for the industrialization of our economy, and thereby assure the genuine independence of our country;

WHEREAS, it is necessary to make our new democracy meaningful by increasing the productivity of the farming sector and increasing the incomes of farmers, regular farmworkers, and other farmworkers;

WHEREAS, the essential element in any policy of agricultural revival and development is a comprehensive and realistic agrarian reform program;

WHEREAS, such an agrarian reform program will encourage the shift of capital from land to industry;

WHEREAS, realizing these imperatives, the President declared in the 1986 Presidential campaign that she would undertake an agrarian reform program;

WHEREAS, there is need for all to address agrarian reform in the spirit of cooperation, harmony, and understanding, a spirit which must pervade the process as a whole, in its voluntary as well as non-voluntary aspects, for the country faces problems and challenges that require national unity;

WHEREAS, agrarian reform indispensably entails the participation of all concerned in the planning, organization, and management of the program;

WHEREAS, the entire Filipino people, together with all government agencies and private organizations, must extend priority support and full cooperation to implement this program effectively;

WHEREAS, there is a need for the program to be realistic and flexible in order to succeed, to take account of differences from place to place, from community to community, so that no single and rigid prescription would be unfairly and unwisely applied to all regardless of special features and circumstances, and to be within the present and foreseeable capabilities of the nation;

WHEREAS, the program further requires available funding that is definite as to source and timing;

WHEREAS, the education, re-orientation, and motivation of farmers, regular farmworkers, and other farmworkers in their new role and responsibilities, along with steps to ensure that the program will result in increased productivity and better income for the beneficiaries, are also called for;

WHEREAS, all these and other infrastructure requirements must further be provided for by other legislation and measures;

WHEREAS, the President recognizes as a partner to this continuing undertaking the co-equal Branch of the Congress of the Philippines, whose Senate is elected at large and therefore speaks for the nation, and whose House of Representatives articulates the needs and problems of the constituencies and sectors in the land;

WHEREAS, in the last analysis, the times undeniably a call for change, and the need to undertake the agrarian reform program can no longer wait so that no alternative lies but to adopt a program

that is workable, sufficiently funded and above all, aimed to succeed, for the nation can no more afford its failure than its lack;

WHEREAS, the forces of history and the Constitution, the pressing needs of the times, the capabilities of the present, and the age-old aspirations of the Filipino people demand such agrarian reform program.

WHEREFORE, the Constitution of the Philippines provides the following:

“ART. II

‘DECLARATION OF PRINCIPLES AND STATE POLICIES

x x x

“Sec. 21. The State shall promote comprehensive rural development and agrarian reform.”

“ART. XXII

“NATIONAL ECONOMY AND PATRIMONY”

x x x

“Sec. 1, par. 2: The State shall promote industrialization and full employment based on sound agricultural development and agrarian reform, x x x”

“ART. XIII

“SOCIAL JUSTICE AND HUMAN RIGHTS”

x x x

“AGRARIAN AND NATURAL RESOURCES REFORM”

X X X

“Sec. 4. The State shall, by law, undertake an agrarian reform founded on the right of farmers and regular farmworkers, who are landless, to own directly or collectively the lands they till or, in the case of other farmworkers, to receive a just share of the fruits thereof. To this end, the State shall encourage and undertake the just distribution of all agricultural lands, subject to such priorities and reasonable retention limits as the Congress may prescribe, taking into account ecological, developmental, or equity considerations, and subject to the payment of just compensation. In determining the retention limits, the State shall respect the right of small landowners. The State shall further provide incentives for voluntary land-sharing.”

“Sec. 5. The State shall recognize the right of the farmers, farmworkers, and landowners, as well as cooperatives, and other independent farmers’ organizations to participate in the planning, organization, and management of the program, and shall provide support to agriculture through appropriate technology and research, and adequate financial production, marketing, and other support services.”

“Sec. 6. The State shall apply the principles of agrarian reform or stewardship, whenever applicable in accordance with law, in the disposition or utilization of other natural resources, including lands of the public domain under lease or concession suitable to agriculture, subject to prior rights, homestead rights of small settlers, and the rights of indigenous communities to their ancestral lands.

“The State may resettle landless farmers and farmworkers in its own agricultural estates which shall be distributed to them in the manner provided by law.”

X X X

“Sec. 8. The State shall provide incentives to landowners to invest the proceeds of the agrarian reform program to promote industrialization, employment creation, and privatization of public sector enterprises. Financial instruments used as payments for their lands shall be honored as equity in enterprises of their choice.”

ART. XVIII
TRANSITORY PROVISIONS

X X X

“Sec. 22. At the earliest possible time, the Government shall expropriate idle or abandoned agricultural lands as may be defined by law, for distribution to the beneficiaries of the agrarian reform program.”

NOW, THEREFORE, I, CORAZON COJUANGCO AQUINO, President of the Republic of the Philippines, by virtue of the powers vested in me by the Constitution, do hereby order:

SECTION 1. Scope. — Comprehensive Agrarian Reform Program (CARP) is hereby instituted which shall cover, regardless of tenurial arrangement and commodity produced all public and private agricultural lands as provided in the Constitution, including whenever applicable in accordance with law, other lands of the public domain suitable to agriculture.

SEC. 2. Agrarian Reform Fund. — There is hereby created a special fund, to be known as The Agrarian Reform Fund, an initial amount of FIFTY BILLION PESOS (50,000,000,000.00) to cover the estimated cost of the Comprehensive Agrarian Reform Program from 1987 to 1992 which shall be sourced from the receipts of the sale of the assets of the Asset Privatization Trust and receipts of sale of ill-gotten wealth received through the Presidential Commission on Good Government and such other sources as government may deem appropriate. The amounts collected and accruing to this special fund shall be considered automatically appropriated for the purpose authorized in this Proclamation.

SEC. 3. Implementation. — The provisions for the mechanisms needed initially to implement the Comprehensive Agrarian Reform Program are set forth in Executive Order No. 229, dated 22 July, 1987, which is a companion measure to this Proclamation.

SEC. 4. Effectivity and Repealing Clause. — This Proclamation shall take effect immediately upon its approval and repeals or amends accordingly all laws, issuances, decrees or any part thereof inconsistent with its provisions.

APPROVED, in the City of Manila, Philippines, this 22nd day of July, 1987.

(Sgd.) CORAZON C. AQUINO
President of the Philippines

By the President:

(Sgd.) JOKER P. ARROYO
Executive Secretary

MALACAÑANG
Manila

PROCLAMATION NO. 136, s. 1993

FURTHER AMENDING PROCLAMATION NO. 1530, DATED FEBRUARY 2, 1976, BY PROVIDING FOR A SYSTEM OF VALUATION IN ACCORDANCE WITH REPUBLIC ACT NO. 3844 AS AMENDED OR IN ACCORDANCE WITH SUCH SYSTEM OF VALUATION, MODE OR TERMS OF PAYMENT AS MAY BE AGREED UPON BY THE LAND BANK OF THE PHILIPPINES AND THE DEPARTMENT OF AGRARIAN REFORM

WHEREAS, Proclamation No. 1530, dated February 2, 1976, reserved for settlement purposes certain parcels of land situated in Panamao, Talipao and Tiptipon, Province of Sulu;

WHEREAS, the said Proclamation, as amended by Proclamation No. 835 dated 14 November 1991, expressly provides that: “With respect to those lots for which certificates of title were already issued, the Department of Agrarian Reform and the Land Bank of the Philippines are hereby authorized to expropriate the said areas and/or negotiate for their acquisition pursuant to Republic Act No. 3844, as amended by Republic Act No. 6389. Whatever amounts are necessary for the purpose shall be taken out of the Agrarian Reform Fund to be drawn by the Land Bank of the Philippines to finance the acquisition of the private properties covered by this Proclamation”;

WHEREAS, there is a need to hasten payment to the landowners affected by the Proclamation and to rationalize the payment scheme for the landowners;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, upon recommendation of the Secretary of Agrarian Reform and by virtue of the powers vested in me by law,

do hereby amend the following paragraph of Proclamation No. 1530, s. 1976, as amended by Proclamation No. 835, s. 1991, to wit:

“With respect to those lots for which certificate of titles were already issued, the Department of Agrarian Reform and the Land Bank of the Philippines are hereby authorized to expropriate the said areas and/or negotiate for their acquisition pursuant to Republic Act no. 3844, as amended by Republic Act No. 6389. Whatever amounts are necessary for the purpose shall be taken out of the Agrarian Reform Fund to be drawn by the Land Bank of the Philippines to finance the acquisition of the private properties covered by this proclamation”,

which shall now read as follows:

“With respect to those lots, for which certificates of titles were already issued, the Department of Agrarian Reform and the Land Bank of the Philippines are hereby authorized to expropriate the said areas and/or negotiate for their acquisition pursuant to Republic Act No. 3844, as amended by Republic Act No. 6389 or in accordance with such valuation, mode or terms of payment as the Department of Agrarian Reform and the Land Bank of the Philippines may, consistent with existing laws, agree upon. Whatever amounts are necessary for the purpose shall be taken out of the Agrarian Reform Fund to be drawn by the Land Bank of the Philippines to finance the acquisition of the private properties covered by this Proclamation.”

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the Republic of the Philippines to be affixed.

DONE in the City of Manila, this 5th day of February in the year of Our Lord, Nineteen Hundred and Ninety-Three.

(Sgd.) FIDEL V. RAMOS

By the President:

(Sgd.) ANTONIO T. CARPIO
Chief Presidential Legal Counsel

MALACAÑAN G
Manila

PROCLAMATION NO. 180, s. 1993

DECLARING THE PERIOD JUNE 9–15 OF EVERY YEAR AS
“AGRARIAN REFORM WEEK” AND RECOGNIZING THE
AGRARIAN REFORM COMMUNITY DEVELOPMENT
PROGRAM AS A KEY PROGRAM FOR NATIONAL
DEVELOPMENT

WHEREAS, it is important that the beneficiaries of the agrarian reform program of the government be able to build prosperous communities in their barangays or municipalities for agrarian reform to succeed; and

WHEREAS, the Department of Agrarian Reform looks at the development of viable agrarian reform communities as the end product of the agrarian reform process.

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby declare the period June 9-15 of every year as “Agrarian Reform Week”. The Agrarian Reform Community Development Program is hereby recognized as a key program for national development.

DONE in the City of Manila, this 21st day of May in the year of Our Lord, Nineteen Hundred and Ninety-Three.

(Sgd.) FIDEL V. RAMOS

By the President:

(Sgd.) ANTONIO T. CARPIO
Chief Presidential Legal Counsel

Proc. 180 s. 1993 was amended by Proc. 263 s. 2000.

MALACAÑANG
RESIDENCE OF THE PRESIDENT
OF THE PHILIPPINES
Manila

PROCLAMATION NO. 190, s. 1955

RESERVING FOR STOCK FARM PURPOSES A CERTAIN PARCEL
OF THE PUBLIC DOMAIN SITUATED IN THE BARRIO OF
DAING, MUNICIPALITY OF CERVANTES, PROVINCE OF
ILOCOS SUR, ISLAND OF LUZON

Upon the recommendation of the Secretary of Agriculture and Natural Resources and pursuant to the provisions of section 83 of Commonwealth Act No. 141, as amended, I, Ramon Magsaysay, President of the Philippines, do hereby withdraw from sale and settlement and reserve for stock farm site purposes under the administration of the Bureau of Animal Industry, subject to private rights, if any there be, and to the following conditions, to wit:

1. The utilization of timber and other forest products therein shall be subject to forestry laws and regulations; and

2. At any time the area is abandoned for the purposes it is intended, the same shall revert to the category of timber land under the jurisdiction of the Bureau of Forestry;

a certain parcel of the public domain situated in the barrio of Daing, municipality of Cervantes, province of Ilocos Sur, island of Luzon, and more particularly described as follows:

ILOCOS SUR STOCK FARM
(Bureau of Animal Industry)

A parcel of land (the proposed Ilocos Sur Stock Farm of the Bureau of Animal Industry), situated in the sitios of Cayos and Tabayag, barrio of Daing, municipality of Cervantes, province of Ilocos Sur. Bounded on the N. by public forest; on the E., by parcel of

I Amd.—Cn F.-674-I) and the Ilocos Sur Project No. 9, block I (Alien, and Dis.) and Abia Eiver; on the S., by the Ilocos Sur Project No. 9, block I (Alien, and Dis.) and public land; and on the W., by public forest and the Ilocos Sur Project No. 9, block II (Alien, and Dis.). Beginning at a point marked 1 on the attached plan, thence due west, 360.00 meters to point 2; thence N. 57° W., 990.00 meters to point 3; thence N. 77° W., 100.00 meters to point 4; thence S. 50° W., 380.00 meters to point 5; thence S. 39° W., 450.00 meters to point 6; thence N. 31° W., 240.00 meters to point 7; thence N. 14° W., 330.00 meters to point 8; thence N. 16° W., 560.00 to point 9; thence N. 58° W., 860.00 meters to point 10; thence N. 8° E., 510.00 meters to point 11; thence N. 78° W., 190.00 meters to point 12; thence N. 46° W., 640.00 meters to point 13; thence N. 1° E., 180.00 meters to point 14; thence N. 19° E., 500.00 meters to point 15; thence N. 46° E., 610.00 meters to point 16; thence S. 37° E., 280.00 meters to point 17; thence N. 49° E., 440.00 meters to point 18; thence following the Cayos and Mili Creek in a northeasterly direction about 1,100.00 meters to point 19; thence N. 31° E., 210.00 meters to point 20; thence N. 74° W., 230.00 meters to point 21; thence N. 55° W., 500.00 meters to point 22; thence N. 25° E., 280.00 meters to point 23; thence N. 22° E., 200.00 meters to point 24; thence N. 55° W., 320.00 meters to point 25; thence N. 3° E., 340.00 meters to point 26; thence S. 82° E., 660.00 meters to point 27; thence S. 51° E., 830.00 meters to point 28; thence S. 76° E., 380.00 meters to point 29; thence N. 76° E., 460.00 meters to point 30; thence N. 63° E., 740.00 meters to point 31; thence S. 4° W., 430.00 meters to point 32; thence S. 14° W., 450.00 meters to point 33; thence S. 30° W., 410.00 meters to point 34; thence S. 5° W., 260.00 meters to point 35; thence S. 51° E., 300.00 meters to point 36; thence S. 22° E., 360.00 meters to point 37; thence S. 25° E., 530.00 meters to point 38; thence S. 12° E., 300.00 meters to point 39; thence due south, 450.00 meters to point 40; thence S. 5° E., 620.00 meters to point 41; thence S. 12° E., 420.00 meters to point 42; thence S. 53° E., 300.00 meters to point 43; thence S. 81° E., 220.00 meters to point 44; thence following the Abra River upstream in a southerly direction about 1,350.00 meters to point 45; thence N. 58° W., 480.00 meters to point 46; thence N. 8° W., 520.00 meters to point 47; thence N. 18° W., 300.00 meters to point 48; thence due west, 260.00 meters

to point 49; thence S. 9° W., 300.00 meters to point 50; thence S. 77° W., 240.00 meters to point 51; thence S. 75° W., 240.00 meters to point 52; thence S. 68° W., 340.00 meters to the point of beginning; containing an approximate area of 1,756 hectares, more or less. All points referred to are indicated on the plan and are marked on the ground as follows: points 11, 13, 36, 37 and 51, by big rocks; point 12, by pile of rocks; point 15, by rock; point 45, by pile of stones; and the rest, by trees; bearings true.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the Republic of the Philippines to be affixed.

Done in the City of Manila, this 23rd day of September, in the year of Our Lord, nineteen hundred and fifty-five, and of the Independence of the Philippines, the tenth.

RAMON MAGSAYSAY
President of the Philippines

By the President:

FRED RUIZ CASTRO
Executive Secretary

MALACAÑANG
Manila

BY THE PRESIDENT OF THE PHILIPPINES

PROCLAMATION NO. 196, s. 1987

AMENDING PROCLAMATION NO. 582, DATED JULY 8, 1940, WHICH ESTABLISHED THE FAMY-INFANTA FOREST RESERVE IN LAGUNA AND QUEZON, AND PROCLAMATION NO. 1636, DATED APRIL 18, 1979, WHICH ESTABLISHED A NATIONAL PARK, WILDLIFE SANCTUARY AND GAME PRESERVE IN REAL, QUEZON, AND RESERVING CERTAIN PORTIONS OF THE LAND EMBRACED THEREIN FOR AGRICULTURAL SETTLEMENT PURPOSES OF THE DEPARTMENT OF AGRARIAN REFORM

Upon recommendation of the Secretary of Environment and Natural Resources on representation of the Secretary of Agrarian Reform and pursuant to the authority vested in me by law, I, CORAZON C. AQUINO, President of the Philippines, do hereby exclude from the operation of Proclamation No. 582, dated July 8, 1940, which established the Famy-Infanta Forest Reserve in Laguna and Quezon, and Proclamation No. 1636, dated April 18, 1979, which established a National Park, Wildlife Sanctuary and Game Preserve in Real, Quezon, certain portion of the land embraced therein situated in Barangays Kiloloran, Capalong, Tignoan and Tanauan, Municipality of Real, Province of Quezon, and in the Municipality of Famy, Province of Laguna, and declare said portion which is below 18% in slope as alienable and disposable for the resettlement program of the Department of Agrarian Reform and which is more particularly described as follows:

“A PARCEL OF LAND, within the National Park, Wildlife Sanctuary and Game Reserve under Presidential Proclamation No. 1636 and Famy-Infanta Forest Reserve (FR-99), situated in the municipality of Real, formerly a portion of Infanta, province of Quezon, bounded on the North by Marcos Highway; on the East by

A & D Project 19-C, Block I of Quezon; on the West by Municipality of Famy; and on the South by A & D tract of land. Beginning at a point marked “I” on plan, being the junction of Tignoan River; 450 m. to pt. 2; SW following Tignoan River 400 m. to pt. 6; SW following Makaraykaray River 450 m. to pt. 7; SW following Makaraykaray River 450 m. to point 8; SW following Makaraykaray River 400 m. to pt. 9; SW-SE following Makaraykaray River 400 m. to pt. 10; SW-SE following Makaraykaray River 500 m. to pt. 11; SW, NW, SW, following Makaraykaray River 600 m. to pt. 12; SW following Makaraykaray River 250 m. to pt. 13; SW, NW, SW, following Makaraykaray River 500 m. to pt. 14; SW following Makaraykaray River 500 m. to pt. 14; SW following Makaraykaray River 300 m. to pt. 15;

S 21°W 1,200 m. to pt. 16; S 04°E 560 m. to pt. 17;
S 37°W 720 m. to pt. 18; S 39°W 180 m. to pt. 19;
following River (Llavac River) 2,500 m. to pt. 20;
S 61°W 1,150 m. to pt. 21; S 60°W 650 m. to pt. 22;
S 65°W 440 m. to pt. 23; S 89°W 480 m. to pt. 24;
N 51°W 560 m. to pt. 25; N 43°W 700 m. to pt. 26;
N 35°W 1,500 m. to pt. 27; NW-NE following Marcos
Highway 300 m. to pt. 28; NW-NE following Marcos
Highway 350 m. to pt. 29; NE-NW following Marcos
Highway 300 m. to pt. 30; NW, following Marcos
Highway 350 m. to pt. 31; NE, following Marcos
Highway 400 m. to pt. 32; NE, following Marcos
Highway 270 m. to pt. 33; NE, following Marcos
Highway 320 m. to pt. 34; NE, following Marcos
Highway 200 m. to pt. 35; NW, following Marcos
Highway 280 m. to pt. 36; NE, following Marcos
Highway 300 m. to pt. 37; NE, following Marcos
Highway 380 m. to pt. 38; NW-NE following Marcos
Highway 250 m. to pt. 39; NE, following Marcos
Highway 150 m. to pt. 40; NW, following Marcos
Highway 180 m. to pt. 41; NE, following Marcos
Highway 300 m. to pt. 42; NE, following Marcos
Highway 300 m. to pt. 43; NE, following Marcos
Highway 300 m. to pt. 44;
NE, following Marcos Highway 350 m. to pt. 45;

NE, following Marcos Highway 350 m. to pt. 46;
 NE, following Marcos Highway 270 m. to pt. 47;
 NE, following Marcos Highway 290 m. to pt. 48;
 NE, following Marcos Highway 200 m. to pt. 49;
 NW, following Marcos Highway 300 m. to pt. 50;
 NE, following Marcos Highway 220 m. to pt. 51;
 NE, following Marcos Highway 330 m. to pt. 52;
 SE, following Marcos Highway 310 m. to pt. 53;
 NW, following Marcos Highway 300 m. to pt. 54;
 NW-NE, following Marcos Highway 350 m. to pt. 55;
 NW-NE, following Marcos Highway 470 m. to pt. 56;
 NE, following Marcos Highway 700 m. to pt. 57;
 NE, following Marcos Highway 400 m. to pt. 58;
 NW-NE, following Marcos Highway 500 m. to pt. 59;
 SE-NE, following Marcos Highway 450 m. to pt. 60;
 NE, following Marcos Highway 480 m. to pt. 61;
 NW, following Marcos Highway 370 m. to pt. 62;
 NW-NE, following Marcos Highway 440 m. to pt. 63;
 NE, following Marcos Highway 520 m. to pt. 64;
 NE-NW, following Marcos Highway 570 m. to pt. 65;
 NE, following Marcos Highway 600 m. to pt. 66;
 NE, following Marcos Highway 520 m. to pt. 67;
 S 66°E 780 m. to pt. 68; N 79°E 880 m. to pt. 69;
 S 85°E 960 m. to pt. 70; N 85°E 880 m. to pt. 71;
 N 88°E 1500 m. to pt. 72; N 29°W 900 m. to pt. 73;
 N 25°W 860 m. to pt. 74;
 N 81°E 180 m. to pt. 75; N 31°E 280 m. to pt. 76;
 N 09°E 270 m. to pt. 77; N 26°E 300 m. to pt. 78;
 N 20°W 300 m. to pt. 79; N 46°E 430 m. to pt. 80;
 N 41°E 410 m. to pt. 81; N 27°W 250 m. to pt. 82;
 NE, following Kinanliman River 250 m. to pt. 83;
 SE, following Kinanliman River 310 m. to pt. 84;
 SE, following Kinanliman River 330 m. to pt. 85;
 NE, following Kinanliman River 240 m. to pt. 86;
 NW, following Kinanliman River 320 m. to pt. 87;
 NE, following Kinanliman River 260 m. to pt. 88;
 NE, following Kinanliman River 280 m. to pt. 89;
 NE, following Kinanliman River 390 m. to pt. 90;

S, 69' 280 m. to pt. 91; S 25'W 430 m. to pt. 92;
S 06'W 380 m. to pt. 93; S 268'E 130 m. to pt. 94;
S 32'E 210 m. to pt. 95; S 36'E 320 m. to pt. 96;
S 17'E 150 m. to pt. 97; S 61'E 200 m. to pt. 98;
S 13'W 270 m. to pt. 99; S 15'W 390 m. to pt. 100;
S 42'W 320 m. to pt. 101; S 63'E 220 m. to pt. 102;
S 72'W 220 m. to pt. 103; S 71'W 200 m. to pt. 104;
S 73'W 590 m. to pt. 105; S 01'W 330 m. to pt. 106;
NE, Following Kiloloron River 670 m. to pt. 107;
S 73'E 190 m. to pt. 108; S 30'E 160 m. to pt. 109;
S 12'E 160 m. to pt. 110; S 10'E 200 m. to pt. 111;
S 19'W 250 m. to pt. 112; S 66'E 290 m. to pt. 113;
S 48'W 340 m. to pt. 114; S 07'W 130 m. to pt. 115;
S 02'W 190 m. to pt. 116; S 80'W 220 m. to pt. 11 117;
S 06'E 310 m. to pt. 118; S 63'E 320 m. to pt. 119;
S 49'E 160 m. to pt. 120; S 50'E 240 m. to pt. 121;
S 01'W 320 m. to pt. 122; S 17'E 200 m. to pt. 123;
S 35'E 240 m. to pt. 124; S 12'E 200 m. to pt. 125;
S 32'W 290 m. to pt. 126; S 35'E 130 m. to pt. 127;
S 45'E 200 m. to pt. 128; S 29'W 300 m. to pt. 129;
SE, following Talisay River 240 m. to pt. 130;
SW, following Kaybatang River 840 m. to pt. 131;
S 48'E 360 m. to pt. 132; S 12'E 160 m. to pt. 133;
Due East 210 m. to pt. 134; SE, following Kayparang
River 390 m. to pt. 135; SE, following Kayparang
River 250 m. to pt. 136; N 85'E 150 m. to pt. 137;
S 15'W 210 m. to pt. 138; N 82'E 230 m. to pt. 139;
S 05'W 130 m. to pt. 140; S 06'W 400 m. to pt. 141;
S 26'W 160 m. to pt. 142; S 14'E 230 m. to pt. 143;
S 02'W 240 m. to pt. 144; S 15'E 210 to pt. 145;
S 31'E 370 m. to pt. 146; S 21'E 350 m. to pt. 147;
S 12'E 230 m. to pt. 148; S 77'W 420 m. to pt. 149;
S 37'W 100 m. to pt. 150; NW following Tignoan River
370 m. to pt. 151; N 78'W 200 m. to pt. 152;
S 40'W 190 m. to pt. 153; S 85'W 350 m. to pt. 154;
S 01'E 130 m. to pt. 155; NW following Tignoan River
490 m. to pt. 156; N 49'W 400 m. to pt. 157;
S 08'W 350 m. to pt. 158; SW following Tignoan River
530 m. to pt. 159; SE-SW following Tignoan River
240 m. to pt. 160; NW following Tignoan River

400 m. to the point of beginning containing an area of ELEVEN THOUSAND SIX HUNDRED TWENTY-NINE (11,629) HECTARES. All points referred to are indicated on the plan and are marked on the ground by old monuments, boulders and coconut trees.

“NOTE: All data are approximate and subject to change based on future survey.”

In order to maintain a balanced ecosystem, timberland areas within the reservation established herein and all slopes within a 300 meter radius from the boundary of the reservation shall serve as watershed which could be the source of surface water for agricultural purposes.

All subsisting forestry permits, licenses and lease agreements within the proclaimed area shall be cancelled by the Department of Environment and Natural Resources. Alienable and disposable land within the area previously released by the Bureau of Lands, if any there be, as well as records of public land applications filed in the area shall be turned over to the Department of Agrarian Reform, who shall thereafter have the administration and management thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the Republic of the Philippines to be affixed.

Done in the City of Manila, this 10th day of December, in the year of Our Lord, nineteen hundred and eighty-seven.

(Sgd.) CORAZON C. AQUINO

By the President:

(Sgd.) CATALINO MACARAIG, JR.
Executive Secretary

MALACAÑANG
MANILA

PROCLAMATION NO. 245, s. 1993

RESERVING FOR THE PURPOSE OF ESTABLISHING A SETTLEMENT AND AN AGRICULTURAL COMMUNITY UNDER THE AGRARIAN REFORM COMMUNITY PROGRAM OF THE DEPARTMENT OF AGRARIAN REFORM CERTAIN PARCELS OF LAND SITUATED IN BORONGAN AND SAN JULIAN, PROVINCE OF EASTERN SAMAR

WHEREAS, Section 85, Chapter XII, Title 5 of Commonwealth Act No. 141, approved 7 November 1936, otherwise known as the “Public Land Act”, authorizes the President to designate, by proclamation, any tract or tracts of land of the public domain for the establishment of agricultural communities;

WHEREAS, Section 14, Chapter 4, Title I, Book III of the Administrative Code of 1987 provides that “[t]he President shall have the power to reserve for settlement or public use, and for specific public purposes, any of the lands of the public domain, the use of which is not otherwise directed by law. The reserved land shall thereafter remain subject to the specific public purpose indicated until otherwise provided by law or proclamation”;

WHEREAS, Section 3 (5), Chapter 1, Title XI, Book IV of the Administrative Code of 1987 provides that the Department of Agrarian Reform shall “[a]dminister and dispose of, under a settlement scheme, all portions of the public domain declared as alienable and disposable lands for speedy distribution to and development by deserving and qualified persons who do not own any land and under such terms and conditions as the Department may prescribe, giving priority to qualified and deserving farmers in the province where such lands are located;”

WHEREAS, it is the declared policy of the State to provide a vigorous land resettlement program in order to create a truly viable social and economic structure in the country;

WHEREAS, it is the responsibility of the government to provide the people with lands as well as technical guidance and assistance to make them independent, self-reliant and responsible citizens; and

WHEREAS, there is a big tract of agricultural land in Borongan and San Julian, Eastern Samar found to be suitable for cultivation and conversion into a well-organized and develop resettlement area for rebel-returnees evacuees and other deserving Filipinos;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by law, and upon recommendation of the Secretary of Agrarian Reform and the Secretary of Environment and Natural Resources, and pursuant to Section 85, Chapter XII, Title 5 of Commonwealth Act No. 141, otherwise known as the "Public Land Act" and Section 14, Chapter 4, Title I, Book III of the Administrative Code of 1987, do hereby reserve for the purpose of establishing a settlement and an agricultural community under the administration and disposition of the Department of Agrarian Reform, subject to private rights, if any there be, and to future classification, certain parcels of land, more particularly described as follows:

TECHNICAL DESCRIPTION

Beginning at point marked BLLM No. 1, N 34 deg. -49' W, 5,742.08 m. thence

thence	N. 88 deg. 52'W.,	1,579.22 m. to point 2;
	N. 88 deg. 45'W.,	699.22 m. to point 3;
	N. 88 deg. 45'W.,	107.14 m. to point 4;
	N. 75 deg. 58'W.,	118.43 m. to point 5;

N. 75 deg. 57'W.,	202.42 m. to point 6;
N. 82 deg. 01'W.,	277.77 m. to point 7;
N. 58 deg. 59'W.,	232.59 m. to point 8;
N. 43 deg. 57'W.,	243.08 m. to point 9;
N. 48 deg. 44'W.,	398.81 m. to point 10;
N. 57 deg. 04'W.,	259.40 m. to point 11;
N. 42 deg. 47'W.,	2,069.08 m. to point 12;
N. 53 deg. 55'W.,	796.69 m. to point 13;
S. 68 deg. 00'W.,	3,000.00 m. to point 14;
N. 19 deg. 30'W.,	5,897.00 m. to point 15;
N. 65 deg. 20'E.,	9,600.00 m. to point 16;
S. 40 deg. 48'E.,	8,852.71 m. to point 17;
S. 46 deg. 20'W.,	4,200.00 m. to point 18;
S. 46 deg. 15'W.,	1,313.00 m. to point 19;
S. 49 deg. 31'W.,	1,685.60 m. to point of

beginning containing an area of nine thousand six hundred thirty eight (9,638.00) hectares, more or less.

The technical description is subject to adjustment based on the result of a final survey.

All areas within the reservation which fall under the classification of timberland, forest land or unclassified public land, if any, shall be deemed excluded from the scope of this Proclamation.

The Department of Environment and Natural Resources shall retain jurisdiction over portions covered by public land applications as of the date hereof and shall continue to process such applications. All vested rights inside the reservation shall be respected.

DONE in the City of Manila, this 6th day of September, in the Year of Our Lord Nineteen Hundred and Ninety-Three.

(Sgd.) FIDEL V. RAMOS

By the President:

(Sgd.) TEOFISTO T. GUINGONA, JR.
Executive Secretary

MALACAÑANG
Manila

BY THE PRESIDENT OF THE PHILIPPINES

PROCLAMATION NO. 246, s. 1988

REVOKING PROCLAMATION NO. 106 DATED MAY 11, 1987 AND RESERVING FOR SETTLEMENT PURPOSES THE LAND COVERED THEREBY UNDER THE ADMINISTRATION AND DISPOSITION OF THE DEPARTMENT OF AGRARIAN REFORM

WHEREAS, a large tract of fertile agricultural public land, located in the municipalities of Hinunangan, San Juan and St. Bernard, province of Southern Leyte, consisting of THIRTEEN THOUSAND (13,000) HECTARES more or less, was found to be available and suitable for settlement purposes;

WHEREAS, said tract of public land has been previously reserved for settlement purposes, under Proclamation No. 1497, dated September 11, 1975 but was reverted to the status of forest land pursuant to Proclamation No. 106 dated May 11, 1987;

WHEREAS, Proclamation No. 106 was issued to prevent illegal logging in the area under the guise of clearing lands for settlement purposes;

WHEREAS, subsequent investigations conducted by the Department of Environment and Natural Resources confirmed that such activities have already been curtailed and that the Department of Agrarian Reform has made extensive developments in the area;

WHEREAS, the reversion of the area to the status of a forest land will not only affect the rights of individual settlers who have introduced improvements and developed portions of the said tract of land, but will also negate the developments and improvements

introduced by the Department of Agrarian Reform on said tract of land;

WHEREAS, as a corrective measure, there is a need of reinstating the classification of the land as a reservation for settlement purposes;

NOW, THEREFORE, upon the recommendation of the Secretary of Environment and Natural Resources, I, CORAZON C. AQUINO, President of the Philippines, by virtue of the powers vested in me by law, do hereby revoke Proclamation No. 106, dated May 11, 1987, and reserve for settlement purposes the land covered thereby under the administration and disposition of the Department of Agrarian Reform more particularly described as follows:

“A parcel of land situated in the municipalities of Hinunangan, San Juan and St. Bernard, province of Southern Leyte, beginning at a point marked “1” on plan being latitude 10 degree 18’36” and longitude 125 degree 12’27”

thence S. 28 deg. 27' W.,	1,851.98 m. to point 2;
thence N. 74 deg. 26' W.,	4,580.06 m. to point 3;
thence N. 49 deg. 51' W.,	6,766.99 m. to point 4;
thence N. 3 deg. 27' W.,	4,555.24 m. to point 5;
thence N. 13 deg. 41' E.,	3,731.20 m. to point 6;
thence N. 49 deg. 37' W.,	6,308.55 m. to point 7;
thence N. 45 deg. 28' E.,	4,863.43 m. to point 8;
thence S. 51 deg. 16' E.,	7,563.33 m. to point 9;
thence S. 7 deg. 34' W.,	4,153.05 m. to point 10;
thence S. 59 deg. 06' E.,	957.15 m. to point 11;
thence S. 26 deg. 01' E.,	11,452.70 m. to point of

beginning containing an approximate area of TWELVE THOUSAND SIX HUNDRED SEVENTY THREE (12,673) HECTARES, more or less.

In order to facilitate the development of the area subject of this proclamation, the Department of Agrarian Reform is hereby allowed to cut the available timber in the area for its use in the development of the settlement, subject to forestry laws, rules and regulations.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the Republic of the Philippines to be affixed.

Done in the City of Manila, this 13th day of April in the year of Our Lord, nineteen hundred and eighty-eight.

(Sgd.) CORAZON C. AQUINO

By the President:

(Sgd.) CATALINO MACARAIG, JR.
Executive Secretary

MALACAÑANG
MANILA

PROCLAMATION NO. 254, s. 1993

RESERVING FOR THE PURPOSE OF ESTABLISHING SETTLEMENT AND AN AGRICULTURAL COMMUNITY UNDER THE AGRARIAN REFORM COMMUNITY PROGRAM OF THE DEPARTMENT OF AGRARIAN REFORM CERTAIN PARCELS OF LAND OF THE PUBLIC DOMAIN SITUATED IN THE MUNICIPALITIES OF BUNAWAN AND VERUELA (LOCALLY NAMED NUEVA ERA), PROVINCE OF AGUSAN DEL SUR

WHEREAS, Section 85, Chapter XII, Title 5 of Commonwealth Act No. 141, approved 7 November 1936, otherwise known as the “Public Land Act”, authorizes the President to designate, by proclamation, any tract or tracts of land of the public domain for the establishment of agricultural communities;

WHEREAS, Section 14, Chapter 4, Title I, Book III of the Administrative Code of 1987 provides that “[t]he President shall have the power to reserve for settlement or public use, and for specific public purposes, any of the lands of the public domain, the use of which is not otherwise directed by law. The reserved land shall thereafter remain subject to the specific public purpose indicated until otherwise provided by law or proclamation”;

WHEREAS, Section 3(5), Chapter 1, Title XI, Book IV of the Administrative Code of 1987 provides that the Department of Agrarian Reform shall “[a]dminister and dispose of, under a settlement scheme all portions of the public domain declared as alienable and disposable lands for speedy distribution to and development by deserving and qualified persons who do not own any land and under such terms and conditions as the Department may prescribe, giving priority to qualified and deserving farmers in the province where such lands are located”;

N. 28 deg. 57'E.,	300.38 m. to pt. 4;
N. 83 deg. 24'E.,	217.94 m. to pt. 5;
S. 20 deg. 09'E.,	287.28 m. to pt. 6; intersection
S. 15 deg. 46'E.,	159.87 m. to pt. 7;
S. 10 deg. 17'E.,	185.55 m. to pt. 8;
S. 22 deg. 47'E.,	384.65 m. to pt. 9;
S. 04 deg. 57'E.,	227.93 m. to pt. 10;
S. 04 deg. 35'E.,	189.74 m. to pt. 11;
S. 12 deg. 56'E.,	335.38 m. to pt. 12;
S. 08 deg. 06'W.,	447.44 m. to pt. 13;
S. 22 deg. 46'W.,	339.45 m. to pt. 14;
S. 65 deg. 00'E.,	280.00 m. to pt. 15;
N. 24 deg. 11'E.,	147.23 m. to pt. 16;
N. 24 deg. 21'E.,	193.52 m. to pt. 17;
N. 45 deg. 18'E.,	351.43 m. to pt. 18;
N. 47 deg. 41'E.,	235.85 m. to pt. 19;
N. 71 deg. 18'E.,	308.91 m. to pt. 20;
S. 70 deg. 44'E.,	500.72 m. to pt. 21;
S. 07 deg. 41'E.,	488.06 m. to pt. 22;
S. 57 deg. 08'E.,	302.35 m. to pt. 23;
S. 74 deg. 09'E.,	445.84 m. to pt. 24;
S. 69 deg. 14'E.,	164.28 m. to pt. 25;
N. 54 deg. 36'E.,	183.30 m. to pt. 26;
N. 75 deg. 13'E.,	434.71 m. to pt. 27;
N. 50 deg. 29'E.,	283.15 m. to pt. 28;
N. 73 deg. 45'E.,	699.94 m. to pt. 29;
S. 60 deg. 16'E.,	368.90 m. to pt. 30;

S. 74 deg. 03'E.,	253.23 m. to pt. 31;
S. 01 deg. 16'E.,	209.09 m. to pt. 32;
S. 03 deg. 40'E.,	401.84 m. to pt. 33;
S. 02 deg. 28'E.,	458.53 m. to pt. 34;
S. 86 deg. 06'W.,	124.56 m. to pt. 35;
S. 86 deg. 26'W.,	124.21 m. to pt. 36;
S. 87 deg. 18'W.,	249.64 m. to pt. 37;
S. 85 deg. 21'W.,	251.86 m. to pt. 38;
S. 86 deg. 49'W.,	247.46 m. to pt. 39;
S. 03 deg. 13'W.,	399.70 m. to pt. 40;
S. 50 deg. 26'E.,	31.70 m. to pt. 41;
S. 25 deg. 51'E.,	18.90 m. to pt. 42;
S. 03 deg. 39'W.,	347.11 m. to pt. 43;
N. 28 deg. 00'W.,	340.00 m. to pt. 44;
N. 05 deg. 00'W.,	360.00 m. to pt. 45;
S. 87 deg. 00'W.,	240.00 m. to pt. 46;
S. 48 deg. 00'W.,	340.00 m. to pt. 47;
S. 67 deg. 00'W.,	150.00 m. to pt. 48;
S. 87 deg. 00'W.,	370.00 m. to pt. 49;
N. 78 deg. 00'W.,	350.00 m. to pt. 50;
N. 73 deg. 00'W.,	410.00 m. to pt. 51;
N. 29 deg. 00'W.,	300.00 m. to pt. 52;
N. 75 deg. 00'W.,	350.00 m. to pt. 53;
N. 28 deg. 00'W.,	110.00 m. to pt. 54;
N. 24 deg. 00'W.,	480.00 m. to pt. 55;
N. 59 deg. 00'W.,	390.00 m. to pt. 56;
N. 40 deg. 00'W.,	550.00 m. to pt. 57;
N. 54 deg. 00'W.,	210.00 m. to pt. 58;

N. 60 deg. 00'W.,	800.00 m. to pt. 59;
N. 50 deg. 00'W.,	350.00 m. to pt. 60;
N. 35 deg. 00'W.,	240.00 m. to pt. 61;
N. 24 deg. 00'W.,	300.00 m. to pt. 62;
N. 75 deg. 00'W.,	350.00 m. to pt. 63;
N. 28 deg. 00'W.,	110.00 m. to pt. 64;
N. 24 deg. 00'W.,	480.00 m. to pt. 65;
N. 59 deg. 00'W.,	390.00 m. to pt. 66;
N. 40 deg. 00'W.,	550.00 m. to pt. 67;
N. 54 deg. 00'W.,	210.00 m. to pt. 68;
N. 60 deg. 00'W.,	800.00 m. to pt. 69; intersection
N. 50 deg. 00'W.,	350.00 m. to pt. 70;
N. 35 deg. 00'W.,	240.00 m. to pt. 71;
N. 08 deg. 00'W.,	330.00 m. to pt. 72;
N. 45 deg. 00'E.,	390.00 m. to pt. 73;
N. 53 deg. 00'E.,	200.00 m. to pt. 74;
N. 36 deg. 00'E.,	250.00 m. to pt. 75;
N. 29 deg. 00'W.,	500.00 m. to pt. 76;
S. 85 deg. 00'W.,	500.00 m. to pt. of

beginning, containing an area of SEVEN HUNDRED NINETY-TWO (792) hectares.

PARCEL II

Beginning at point "1" on the map is a point identical to MBM No. 3 Cad. 945-D, Bunawan Cadastre; thence;

S. 50 deg. 00'W.,	270.00 m. to pt. 2;
N. 80 deg. 00'W.,	130.00 m. to pt. 3;
S. 20 deg. 00'W.,	290.00 m. to pt. 4;
S. 60 deg. 00'W.,	300.00 m. to pt. 5;
S. 85 deg. 00'W.,	200.00 m. to pt. 6;
S. 18 deg. 00'W.,	1900.00 m. to pt. 7;
S. 32 deg. 00'W.,	2200.00 m. to pt. 8;
N. 70 deg. 00'W.,	200.00 m. to pt. 9;
S. 40 deg. 00'W.,	300.00 m. to pt. 10;
N. 62 deg. 00'W.,	500.00 m. to pt. 11;
S. 35 deg. 00'W.,	700.00 m. to pt. 12;
S. 13 deg. 00'W.,	400.00 m. to pt. 13;
N. 80 deg. 00'W.,	300.00 m. to pt. 14;
N. 38 deg. 00'W.,	1500.00 m. to pt. 15;
N. 62 deg. 00'W.,	1200.00 m. to pt. 16;
N. 12 deg. 00'W.,	1700.00 m. to pt. 17;
N. 53 deg. 00'W.,	1000.00 m. to pt. 18;
N. 54 deg. 00'W.,	2000.00 m. to pt. 19;
N. 35 deg. 00'E.,	1000.00 m. to pt. 20;
N. 87 deg. 00'E.,	500.00 m. to pt. 21;
Due North,	500.00 m. to pt. 22;
S. 82 deg. 00'E.,	280.00 m. to pt. 23;
S. 23 deg. 00'E.,	240.00 m. to pt. 24;
S. 36 deg. 00'E.,	380.00 m. to pt. 25;
S. 75 deg. 00'E.,	270.00 m. to pt. 26;
S. 46 deg. 00'W.,	370.00 m. to pt. 27;
S. 75 deg. 00'E.,	310.00 m. to pt. 28;
S. 42 deg. 00'E.,	250.00 m. to pt. 29;

S. 52 deg. 00'E.,	590.00 m. to pt. 30;
S. 76 deg. 00'E.,	570.00 m. to pt. 31;
N. 57 deg. 00'E.,	250.00 m. to pt. 32;
N. 81 deg. 00'E.,	250.00 m. to pt. 33;
N. 85 deg. 00'E.,	380.00 m. to pt. 34;
N. 85 deg. 00'E.,	150.00 m. to pt. 35;
N. 62 deg. 00'E.,	720.00 m. to pt. 36;
N. 58 deg. 00'E.,	503.00 m. to pt. 37;
S. 28 deg. 00'E.,	1200.00 m. to pt. 38;
S. 06 deg. 00'E.,	1400.00 m. to pt. 39;
S. 73 deg. 00'E.,	1800.00 m. to pt. 40;
S. 81 deg. 00'E.,	1200.00 m. to pt. of

beginning, containing an area of FOUR THOUSAND FOUR HUNDRED NINETY NINE (4,499) hectares.

The technical description is subject to adjustment based on the result of a final survey.

All areas within the reservation which fall under the classification of timberland, forest land or unclassified public land, if any, shall be deemed excluded from the scope of this Proclamation.

The Department of Environment and Natural Resources shall retain jurisdiction over portions covered by public land applications as of the date hereof and shall continue to process such applications. All vested rights inside the reservation shall be respected.

DONE in the City of Manila, this 15th day of September in the year of Our Lord, Nineteen Hundred and Ninety-Three.

(Sgd.) FIDEL V. RAMOS

By the President:

(Sgd.) TEOFISTO T. GUINGONA

MALACAÑANG
Manila

BY THE PRESIDENT OF THE PHILIPPINES

PROCLAMATION NO. 263, s. 2000

AMENDING PROCLAMATION NO. 180 DATED MAY 21, 1993 BY
DECLARING THE ENTIRE MONTH OF JUNE EACH YEAR
AS “AGRARIAN REFORM MONTH”

WHEREAS, Proclamation No. 180 dated May 21, 1993 declared the period June 9-15 of every years as “Agrarian Reform Week”, June 15 being the date when the Comprehensive Agrarian Reform Law (CARL) came into effect in 1988;

WHEREAS, the setting aside of a period each year to commemorate an important national event, such as the effectivity of the CARL, is intended to give the various stakeholders in such an event adequate opportunity to mark it with appropriate activities;

WHEREAS, agrarian reform, being a very important key results area of the Government and is, in fact, a critical factor in national development, it is felt that the commemoration of the anniversary of the law that made it a nationwide program needs at least a full month to underscore the importance that the Government places upon it;

NOW, THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Philippines, by virtue of the powers vested in me by law, do hereby declare the entire month of June each year as “AGRARIAN REFORM MONTH”, and do hereby instruct the Department of Agrarian Reform (DAR) as the lead agency in the implementation of agrarian reform to undertake appropriate activities nationwide within this month, in order to emphasize the importance that the Government, particularly the current Administration, places upon it.

Done in the City of Manila, this 7th day of April in the year of our Lord, two thousand.

(Sgd.) JOSEPH EJERCITO ESTRADA

By the President:

RONALDO B. ZAMORA
Executive Secretary

MALACAÑANG
Manila

BY THE PRESIDENT OF THE PHILIPPINES

PROCLAMATION NO. 289, s. 1993

RESERVING FOR RESETTLEMENT PURPOSES UNDER THE ADMINISTRATION AND DISPOSITION OF THE DEPARTMENT OF AGRARIAN REFORM CERTAIN TRACTS OF LAND OF THE PUBLIC DOMAIN SITUATED IN THE MUNICIPALITY OF SAN REMIGIO, PROVINCE OF ANTIQUE, ISLAND OF PANAY

WHEREAS, it is the declared policy of the State to provide a more vigorous agricultural land resettlement program and a systematic public land distribution and development in order to create a truly viable social and economic agricultural structure;

WHEREAS, it is the concern of the government to uplift the economic well-being of the tillers of the soil, particularly farmers who do not own the land that they cultivate, by providing them with cultivable lands and supporting them with technical expertise and assistance to make them more independent, self-reliant, and responsible citizens of the government;

WHEREAS, the development of the public agricultural lands in the depressed and isolated parts of the country is a priority program of the administration in order to improve the economic well-being and the welfare of the people and to attain lasting peace and order in the locality;

WHEREAS, large tracts of fertile and potentially productive agricultural land of the public domain with an aggregate area of EIGHT THOUSAND NINE HUNDRED EIGHTY FOUR (8,984) hectares situated in the Municipality of San Remigio, Province of Antique, have been identified and verified by the Department of

Agrarian Reform and the Department of Environment and Natural Resources to be suitable and available for settlement purposes;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Philippines, by virtue of the powers vested in me by law, and upon recommendations of the Secretary of Agrarian Reform and the Secretary of Environment and Natural Resources, do hereby reserve for settlement purposes certain tracts of land of the public domain situated in Municipality of San Remigio, Province of Antique, Island of Panay, under the administration of the Department of Agrarian Reform and for disposition under the Comprehensive Agrarian Reform Program, subject to private rights, if any there be, which tracts of public land are more particularly described as follows:

TECHNICAL DESCRIPTION

(PARCEL I)

A PARCEL OF LAND situated in the Municipality of San Remigio, Province of Antique, Island of Panay, Bounded on the North along lines 1-57 by Public Forest (Unclassified) and along lines 185-1 by Municipality of Patnongon; on the East along lines 57-103 by Public Forest (Unclassified); on the South along lines 103-107 by Public Land (Municipality of Sibalom versus Municipality of San Remigio) and along lines 107-109 by Municipality of Sibalom; and on the West along lines 109-195 by Bongbongon River. Beginning at a point marked “1” on the plan, thence N. 55 deg. 21’W., 2,980.07 m. from BLLM No. 1, Cad. 247, San Remigio Cadastre.

S. 07 deg. 31’ E.,	221.90 m. to point “2”;
S. 01 deg. 33’ W.,	370.14 m. to point “3”;
S. 45 deg. 56’ E.,	431.39 m. to point “4”;
S. 39 deg. 28’ E.,	440.45 m. to point “5”;
S. 84 deg. 00’ E.,	320.00 m. to point “6”;
S. 15 deg. 00’ W.,	360.00 m. to point “7”;

S. 06 deg. 00' E.,	370.00 m. to point "8";
N. 73 deg. 00' E.,	320.00 m. to point "9";
N. 54 deg. 00' E.,	240.00 m. to point "10";
N. 11 deg. 00' E.,	240.00 m. to point "11";
N. 70 deg. 00' E.,	300.00 m. to point "12";
S. 83 deg. 38' E.,	75.52 m. to point "13";
S. 53 deg. 08' E.,	100.00 m. to point "14";
N. 54 deg. 18' E.,	141.91 m. to point "15";
N. 43 deg. 30' E.,	80.00 m. to point "16";
N. 62 deg. 00' E.,	192.00 m. to point "17";
Due North	160.00 m. to point "18";
N. 29 deg. 00' E.,	480.00 m. to point "19";
N. 55 deg. 00' W.,	280.00 m. to point "20";
N. 03 deg. 00' E.,	320.00 m. to point "21";
S. 82 deg. 00' E.,	280.00 m. to point "22";
N. 52 deg. 30' E.,	320.00 m. to point "23";
N. 02 deg. 30' E.,	315.00 m. to point "24";
N. 71 deg. 00' E.,	200.00 m. to point "25";
N. 42 deg. 00' E.,	250.00 m. to point "26";
N. 38 deg. 00' E.,	330.00 m. to point "27";
S. 77 deg. 30' E.,	500.00 m. to point "28";
N. 23 deg. 00' E.,	600.00 m. to point "29";
N. 51 deg. 00' E.,	533.00 m. to point "30";
N. 52 deg. 00' E.,	300.00 m. to point "31";
N. 36 deg. 00' E.,	300.01 m. to point "32";
N. 90 deg. 00' E.,	541.00 m. to point "33";
Due North	196.00 m. to point "34";
S. 85 deg. 00' W.,	211.00 m. to point "35";

N. 72 deg. 30' W.,	158.00 m. to point "36";
N. 39 deg. 30' E.,	258.00 m. to point "37";
N. 70 deg. 30' E.,	197.00 m. to point "38";
N. 46 deg. 00' E.,	187.00 m. to point "39";
N. 50 deg. 30' E.,	378.00 m. to point "40";
S. 79 deg. 00' E.,	201.00 m. to point "41";
N. 87 deg. 30' E.,	320.00 m. to point "42";
N. 04 deg. 00' W.,	253.00 m. to point "43";
N. 41 deg. 00' E.,	837.00 m. to point "44";
S. 71 deg. 00' E.,	302.00 m. to point "45";
N. 59 deg. 30' E.,	274.01 m. to point "46";
N. 56 deg. 30' E.,	417.00 m. to point "47";
N. 12 deg. 30' E.,	259.00 m. to point "48";
S. 80 deg. 00' E.,	314.00 m. to point "49";
N. 48 deg. 00' E.,	730.00 m. to point "50";
N. 43 deg. 00' E.,	601.00 m. to point "51";
N. 58 deg. 00' E.,	804.00 m. to point "52";
N. 69 deg. 30' E.,	544.00 m. to point "53";
N. 70 deg. 00' E.,	440.00 m. to point "54";
S. 88 deg. 26' E.,	211.38 m. to point "55";
N. 76 deg. 20' E.,	572.15 m. to point "56";
S. 88 deg. 21' E.,	554.91 m. to point "57";
S. 42 deg. 26' W.,	237.12 m. to point "58";
S. 51 deg. 42' W.,	303.30 m. to point "59";
S. 21 deg. 30' W.,	141.87 m. to point "60";
S. 52 deg. 02' W.,	494.82 m. to point "61";
S. 55 deg. 30' W.,	315.99 m. to point "62";
S. 44 deg. 00' E.,	530.00 m. to point "63";

S. 08 deg. 30' E.,	242.00 m. to point "64";
S. 08 deg. 31' E.,	171.01 m. to point "65";
S. 61 deg. 30' W.,	416.00 m. to point "66";
S. 43 deg. 30' W.,	495.00 m. to point "67";
S. 79 deg. 00' W.,	642.00 m. to point "68";
S. 55 deg. 30' W.,	571.00 m. to point "69";
S. 08 deg. 00' W.,	292.00 m. to point "70";
S. 39 deg. 00' W.,	508.00 m. to point "71";
S. 44 deg. 30' W.,	286.00 m. to point "72";
S. 30 deg. 00' E.,	219.00 m. to point "73";
S. 04 deg. 30' E.,	521.00 m. to point "74";
S. 29 deg. 30' E.,	326.00 m. to point "75";
S. 27 deg. 48' E.,	452.93 m. to point "76";
N. 69 deg. 17' E.,	679.98 m. to point "77";
N. 49 deg. 42' E.,	646.78 m. to point "78";
N. 29 deg. 00' E.,	300.00 m. to point "79";
N. 11 deg. 00' E.,	396.00 m. to point "80";
N. 23 deg. 30' E.,	457.00 m. to point "81";
N. 81 deg. 30' E.,	117.23 m. to point "82";
S. 40 deg. 30' E.,	185.01 m. to point "83";
S. 36 deg. 30' E.,	350.00 m. to point "84";
S. 11 deg. 00' W.,	256.00 m. to point "85";
S. 29 deg. 00' W.,	360.00 m. to point "86";
S. 17 deg. 37' E.,	371.51 m. to point "87";
S. 38 deg. 00' E.,	349.01 m. to point "88";
S. 40 deg. 30' E.,	520.00 m. to point "89";
S. 14 deg. 30' E.,	350.00 m. to point "90";
S. 28 deg. 00' E.,	200.00 m. to point "91";

S. 05 deg. 00' E.,	645.00 m. to point "92";
S. 22 deg. 00' E.,	300.00 m. to point "93";
S. 01 deg. 30' E.,	342.00 m. to point "94";
S. 10 deg. 00' E.,	320.00 m. to point "95";
S. 54 deg. 30' W.,	555.00 m. to point "96";
N. 83 deg. 00' W.,	360.00 m. to point "97";
S. 21 deg. 30' W.,	319.00 m. to point "98";
S. 30 deg. 00' W.,	320.00 m. to point "99";
S. 06 deg. 00' W.,	380.00 m. to point "100";
S. 46 deg. 00' W.,	440.00 m. to point "101";
S. 15 deg. 00' E.,	360.00 m. to point "102";
S. 21 deg. 00' E.,	252.79 m. to point "103";
N. 78 deg. 26' W.,	644.67 m. to point "104";
S. 73 deg. 21' W.,	5228.54 m. to point "105";
S. 73 deg. 23' W.,	1691.29 m. to point "106";
N. 80 deg. 06' W.,	4426.53 m. to point "107";
N. 80 deg. 27' W.,	1318.92 m. to point "108";
S. 49 deg. 44' W.,	158.17 m. to point "109";
N. 40 deg. 52' W.,	68.77 m. to point "110";
N. 38 deg. 17' E.,	58.92 m. to point "111";
N. 32 deg. 59' E.,	181.71 m. to point "112";
N. 32 deg. 05' E.,	206.53 m. to point "113";
N. 22 deg. 58' E.,	134.44 m. to point "114";
N. 33 deg. 13' E.,	9.42 m. to point "115";
N. 40 deg. 12' W.,	64.03 m. to point "116";
N. 54 deg. 27' W.,	87.44 m. to point "117";
N. 69 deg. 21' W.,	46.74 m. to point "118";
S. 63 deg. 39' W.,	38.31 m. to point "119";

N. 29 deg. 03' W.,	42.61 m. to point "120";
N. 11 deg. 41' E.,	83.31 m. to point "121";
N. 09 deg. 52' E.,	18.69 m. to point "122";
N. 14 deg. 10' E.,	40.80 m. to point "123";
N. 49 deg. 22' E.,	36.28 m. to point "124";
N. 03 deg. 12' W.,	72.23 m. to point "125";
N. 14 deg. 33' E.,	62.26 m. to point "126";
N. 24 deg. 08' E.,	62.06 m. to point "127";
N. 38 deg. 26' W.,	117.84 m. to point "128";
N. 84 deg. 38' W.,	134.02 m. to point "129";
S. 85 deg. 10' W.,	120.02 m. to point "130";
N. 73 deg. 57' W.,	19.32 m. to point "131";
N. 53 deg. 37' W.,	64.43 m. to point "132";
N. 82 deg. 50' W.,	3.37 m. to point "133";
N. 17 deg. 05' E.,	64.67 m. to point "134";
N. 39 deg. 38' W.,	128.00 m. to point "135";
N. 67 deg. 38' W.,	98.84 m. to point "136";
N. 49 deg. 08' W.,	31.14 m. to point "137";
N. 07 deg. 52' W.,	324.89 m. to point "138";
N. 26 deg. 00' W.,	273.71 m. to point "139";
N. 49 deg. 38' W.,	131.24 m. to point "140";
N. 68 deg. 45' W.,	96.57 m. to point "141";
N. 22 deg. 29' W.,	156.92 m. to point "142";
N. 10 deg. 18' W.,	223.61 m. to point "143";
N. 40 deg. 14' W.,	255.44 m. to point "144";
N. 20 deg. 33' W.,	42.72 m. to point "145";
N. 41 deg. 59' E.,	67.27 m. to point "146";
S. 46 deg. 10' E.,	173.28 m. to point "147";

S. 67 deg. 23' E.,	65.00 m. to point "148";
N. 45 deg. 00' E.,	42.43 m. to point "149";
N. 16 deg. 42' W.,	104.40 m. to point "150";
N. 26 deg. 34' E.,	33.54 m. to point "151";
N. 74 deg. 03' E.,	36.40 m. to point "152";
S. 72 deg. 54' E.,	136.01 m. to point "153";
N. 78 deg. 41' E.,	50.99 m. to point "154";
S. 26 deg. 10' W.,	41.39 m. to point "155";
N. 73 deg. 09' E.,	66.09 m. to point "156";
N. 01 deg. 58' W.,	87.05 m. to point "157";
N. 48 deg. 23' W.,	227.38 m. to point "158";
N. 03 deg. 06' E.,	37.05 m. to point "159";
N. 59 deg. 31' E.,	287.78 m. to point "160";
N. 19 deg. 31' W.,	116.71 m. to point "161";
N. 48 deg. 22' W.,	168.58 m. to point "162";
N. 16 deg. 17' W.,	92.72 m. to point "163";
N. 32 deg. 09' E.,	82.68 m. to point "164";
N. 63 deg. 26' E.,	58.14 m. to point "165";
N. 37 deg. 04' W.,	72.68 m. to point "166";
N. 68 deg. 27' W.,	103.43 m. to point "167";
N. 31 deg. 51' W.,	121.26 m. to point "168";
N. 41 deg. 24' E.,	101.32 m. to point "169";
N. 07 deg. 43' W.,	59.54 m. to point "170";
N. 36 deg. 52' E.,	200.00 m. to point "171";
N. 63 deg. 49' W.,	45.45 m. to point "172";
N. 63 deg. 18' W.,	126.73 m. to point "173";
N. 32 deg. 16' W.,	189.21 m. to point "174";
N. 39 deg. 33' E.,	171.19 m. to point "175";

N. 66 deg. 48' E.,	60.93 m. to point "176";
N. 24 deg. 56' E.,	78.29 m. to point "177";
N. 02 deg. 46' E.,	62.07 m. to point "178";
N. 28 deg. 53' E.,	155.31 m. to point "179";
N. 42 deg. 28' E.,	143.68 m. to point "180";
N. 55 deg. 00' E.,	85.45 m. to point "181";
S. 48 deg. 46' E.,	107.71 m. to point "182";
S. 60 deg. 15' E.,	56.44 m. to point "183";
N. 22 deg. 53' E.,	48.85 m. to point "184";
N. 83 deg. 50' E.,	148.88 m. to point "185";
N. 08 deg. 18' W.,	48.51 m. to point "186";
N. 56 deg. 19' E.,	43.27 m. to point "187";
N. 24 deg. 30' W.,	74.73 m. to point "188";
N. 22 deg. 47' E.,	129.08 m. to point "189";
S. 76 deg. 18' E.,	84.40 m. to point "190";
N. 12 deg. 47' E.,	221.49 m. to point "191";
N. 59 deg. 28' E.,	45.28 m. to point "192";
N. 23 deg. 48' E.,	213.12 m. to point "193";
N. 39 deg. 33' E.,	111.52 m. to point "194";
N. 03 deg. 52' W.,	245.34 m. to point "195";
S. 53 deg. 22' E.,	1844.37 m. to point "196";
N. 74 deg. 53' E.,	627.07 m. to point of

beginning; containing an area of EIGHT THOUSAND NINE HUNDRED EIGHTY FOUR (8,984) hectares more or less.

All areas within the reservation, which may fall under the classification of timberland, forest land, or unclassified public land, if any, shall be deemed excluded from the scope of this proclamation. The Department of Environment and Natural Resources shall

retain jurisdiction over portions covered by public land applications as the date hereof and shall continue to process such applications. Rejection or cancellation of a public land application by the DENR shall automatically transfer jurisdiction of the area covered thereby to the DAR.

All previous proclamations or orders which are inconsistent herewith are hereby revoked or modified accordingly.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the Republic of the Philippines to be affixed.

Done in the City of Manila, this 6th day of November in the year of Our Lord, nineteen hundred and ninety three.

(Sgd.) FIDEL V. RAMOS
President of the Philippines

By the President:

(Sgd.) TEOFISTO T. GUINGONA, JR
Executive Secretary

MALACAÑANG
Manila

PROCLAMATION NO. 295, s. 1993

EXCLUDING FROM THE OPERATION OF EXECUTIVE ORDER NO. 63, DATED 25 JUNE 1914, AND PROCLAMATION NO. 391, DATED 13 MARCH 1939, WHICH ESTABLISHED THE MINERAL LAND RESERVATION IN THE PROVINCE OF SURIGAO, ISLAND OF MINDANAO CERTAIN ALIENABLE AND DISPOSABLE PARCELS OF LAND EMBRACED THEREIN, AND DECLARING THE SAME OPEN TO DISPOSITION UNDER THE COMPREHENSIVE AGRARIAN REFORM PROGRAM OF THE DEPARTMENT OF AGRARIAN REFORM AND OTHER PERTINENT LAWS RELATIVE TO TITLING OF LANDS NOT SUITABLE FOR AGRICULTURE

WHEREAS, Executive Order No. 63, dated 25 June 1914 and Proclamation No. 391, dated 13 1939 established certain parcels of land in the Province of Surigao, Island of Mindanao, as Mineral Land Reservation;

WHEREAS, the residents of the parcels of lands covered by this Proclamation have, since 1988, petitioned the Government for the coverage of said parcels under the agrarian reform program;

WHEREAS, the Secretaries of the Departments of Environment and Natural Resources and of Agrarian Reform have entered into a Memorandum of Agreement to conduct geological surveys for the determination of lands classified as Alienable and Disposable and those suitable for residential purposes;

WHEREAS, portions of the said alienable and disposable lands described herein have been utilized for agricultural, community development (barangay/municipal) or residential purposes by the long-term settlers in the said lands;

WHEREAS, the aforementioned portions of the Mineral Land Reservation have been classified as alienable and disposable under various Land Classification Maps;

WHEREAS, the findings of the Director of Mines and Geosciences show that portions of the areas covered by the said Minerals Land Reservation have been explored to have low geological potential for minerals and therefore remain undeveloped for mining purposes;

WHEREAS, under the provisions of Section 6 of Presidential Decree No. 463, as amended, otherwise known as the Mineral Resources Development Decree of 1974, the President may alter or modify the boundaries of an area established as mineral reservation or revert any mineral reservation to the public domain without prejudice to any prior subsisting rights, upon the recommendation of the Minister (now the Secretary of the Department of Environment and Natural Resources) based on the report submitted by the Director of the Mines and Geosciences Bureau;

WHEREAS, Executive Order No. 448 as amended by Executive Order No. 506 of 1992 provides that “Except national parks and other protected areas, all lands or portions of the public domain reserved by virtue of proclamation or law for specific purposes or uses by Departments, bureaus and agencies of the Government, which are suitable for agriculture and no longer actually, directly and exclusively used or necessary for the purpose for which they have been reserved . . . shall be segregated from the reservations and transferred to the Department of Agrarian Reform for distribution to qualified beneficiaries under the Comprehensive Agrarian Reform Program.”

NOW, THEREFORE, upon the recommendation of the Secretary of the Department of Environment and Natural Resources, and the Secretary of the Department of Agrarian Reform, based on the report submitted by the Director of the Mines and Geosciences Bureau, and pursuant to the provisions of Section 6 of Presidential Decree No. 463, otherwise known as the Mineral Resources

Development Decree of 1974, and Executive Order No. 506 of 1992, I, FIDEL V. RAMOS, President of the Republic of the Philippines, do hereby exclude certain tracts of alienable and disposable lands from the Mineral Land Reservation established under Executive Order No. 63, dated 25 June 1914 and Proclamation No. 391, dated 13 March 1939 and declare the same open to disposition under the Comprehensive Agrarian Reform Program of the Department of Agrarian Reform.

PARCEL I-A

A parcel of land (Parcel-1-A) situated in the municipality of Loreto, Dinagat, Island, Province of Surigao del Norte;

Bounded on the North along line 14-1 by Looc Bay; on the East by Surigao Mineral Reservation; on the South by Surigao Mineral Reservation and on the West by Surigao Mineral Reservation.

Beginning at a point marked “1” on plan with geographic position 10 deg. 22’00” North latitude, 125 deg. 35’22” East longitude and bearing N. 66 deg. 40’E., 1,497.19 meters from NAMRIA STA. SRN-4, Dinagat Island.

Thence,	S. 0 deg. 06’E.,	1100.00 m. to point 2;
	N. 89 deg. 54’E.,	922.00 ” ” ” 3;
“	S. 0 deg. 06’E.,	2304.00 ” ” ” 4;
“	N. 36 deg. 58’W.,	2304.00 ” ” ” 5;
“	S. 89 deg. 54’W.,	1382.00 ” ” ” 6;
“	S. 56 deg. 13’E.,	831.00 ” ” ” 7;
“	N. 0 deg. 06’W.,	461.00 ” ” ” 8;
“	S. 89 deg. 54’W.,	461.00 ” ” ” 9;
“	N. 0 deg. 06’W.,	691.00 ” ” ” 10;
“	N. 89 deg. 54’E.,	230.00 ” ” ” 11;
“	N. 0 deg. 06’W.,	922.00 ” ” ” 12;
“	N. 45 deg. 06’E.,	978.00 ” ” ” 13;

“ N. 89 deg. 54'E., 750.00 ” ” ” 14;
 from point 14 following the shoreline along Looc Bay in a southeasterly direction to corner “1” which is the point of beginning.

Containing an approximate area of 466 hectares, more or less.

PARCEL 1-B

A parcel of land (Parcel 1-B) situated at the Municipality of Tubajon, Dinagat Island, Province of Surigao del Norte.

Bounded on the North by Surigao Mineral Reservation; on the South by Surigao Mineral Reservation and on the West by Surigao Mineral Reservation and Tubajon Bay.

Beginning at a point marked “1” on plan with a geographic position of 10 deg. 20'31” North Latitude and 125 deg. 33'17” East longitude and bearing S84 deg. 27'W., 3,238.22 meters from NAMRIA STA. SRN 4, Dinagat Island

Thence	S. 66 deg. 42'E.,	696.17 m. to point 2;
“	15 deg. 19'E.,	1623.73 ” ” ” 3;
“	S. 00 deg. 06'E.,	1167.48 ” ” ” 4;
“	S. 89 deg. 54'W.,	1399.58 ” ” ” 5;
“	N. 00 deg. 06'W.,	829.52 ” ” ” 6;

from point 6 following the shoreline along Tubajon Bay in north and northeasterly directions to point “1” which is the point of beginning.

Containing an area of 330 hectares, more or less.

PARCEL 2

A parcel of land (Parcel-2) situated in the municipality of Libjo, Dinagat Island. Province of Surigao del Norte.

Bounded on the North from line 16 to Cor. 1 by Libjo Bay; 1-22 by Surigao Mineral Reservation; on the East by Surigao Mineral Reservation and on the West along line 8-9 by Dayhangnan Bay along line 9-16 by Surigao Mineral Reservation.

Beginning at a point marked "1" on plan with geographic position of 10 deg. 12'00" North latitude and 125 deg. 32'00" East longitude bearing N. 41 deg. 43'E., 5,935.50 meters from corner 1 of Lot- No. A.

Thence	N. 89 deg. 54'E.,	1582.71 m. to point 2;
"	S. 00 deg. 06'E.,	491.57 " " " 3;
"	S. 89 deg. 54'E.,	913.12 " " " 4;
"	S. 00 deg. 06'E.,	245.78 " " " 5;
"	S. 89 deg. 54'W.,	882.68 " " " 6;
"	S. 00 deg. 06'E.,	1566.58 " " " 7;
"	S. 89 deg. 54'W.,	1613.25 " " " 8;
"	from point 8 following the shoreline along Dayhangnan Bay on a northeasterly and northwesterly directions to point 9;	
"	N. 26 deg. 16'E.,	479.99 " " " 10;
"	N. 89 deg. 55'E.,	700.04 " " " 11;
"	N. 00 deg. 05'W.,	460.84 " " " 12;
"	N. 89 deg. 54'W.,	273.93 " " " 13;
"	N. 00 deg. 05'W.,	215.06 " " " 14;
"	S. 89 deg. 55'W.,	213.05 " " " 15;
"	N. 00 deg. 05'W.,	460.84 " " " 16;

“ from the point 16 following the shoreline along Libjo Bay on a southeasterly and north-easterly direction to point “1” which is the point of beginning.

Containing an area of 747.00 hectares, more or less.

PARCEL 3-A

A parcel of land (parcel-3-A) situated at the municipality of Arellano, Dinagat Island, Province of Surigao del Norte.

Bounded on the north, east and south by Surigao Mineral Reservation and on the West by Surigao Strait.

Beginning at a point marked “1” on plan with a geographic position of 10 deg. 09’36” North latitude and 125 deg. 29’50” East longitude and bearing N. 03 deg. 23’W., 2,645.51 meters from Cor. 1 of Lot-3b.

Thence	N. 89 deg. 55’E.,	304.41 m. to point 2;
“	S. 0 deg. 05’E.,	614.45 ” ” ” 3;
“	S. 89 deg. 55’W.,	152.20 ” ” ” 4;
“	S. 47 deg. 40’W.,	411.24 ” ” ” 5;
“	S. 89 deg. 55’W.,	152.21 ” ” ” 6;
“	from point 6 following the shoreline along Surigao Strait in a northeasterly direction to point “1” which is the point of beginning.	

Containing an area of 32 hectares, more or less.

PARCEL 3-B

A parcel of land (Parcel-3-B) situated at the municipality of Arellano, Dinagat Island, Province of Surigao del Norte.

Bounded on the north, east, south, north and west by Surigao Mineral Reservation.

Beginning at the point marked “1” on plan with a geographic position of 10 deg. 08’10” North latitude and 125 deg. 29’55” East longitude and being N. 15 deg. 40’W., 8,388.21 meters from cor. 1 of Lot-3-C.

Thence	N. 89 deg. 55’E.,	882.84 m. to point 2;
“	S. 0 deg. 05’E.,	768.06 ” ” ” 3;
“	S. 89 deg. 55’E.,	273.99 ” ” ” 4;
“	N. 0 deg. 05’W.,	215.06 ” ” ” 5;
“	N. 89 deg. 55’W.,	243.54 ” ” ” 6;
“	S. 49 deg. 51’W.,	477.33 ” ” ” 7;
“	N. 42 deg. 06’W.,	454.85 ” ” ” 8;
“	N. 0 deg. 05’W.,	276.50 ” ” ” 9;
“	N. 51 deg. 00’W.,	391.26 ” ” ” 1

which is the point of beginning.

Containing an area of 77 hectares, more or less.

PARCEL 3-C

A parcel of land (Parcel-3-C) situated in the municipality of Melgar, Dinagat Island, Province of Surigao del Norte

Bounded on the north and east by Surigao Mineral Reservation; on the north and southeast by Melgar Bay; on the West by Surigao Mineral Reservation.

Beginning at a point marked “1” on plan with a geographic position of 10 deg. 03’47” North latitude and 125 deg. 31’09” East longitude and bearing N. 65 deg. N 22’ W., 8,079.49 meters from corner No. 1 of lot 5.

Thence	Thence N. 0 deg. 05’W.,	829.51 m. to point 2;
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“	N. 89 deg. 55’E.,	426.29 ” ” ” 3;
“	N. 0 deg. 05’W.,	952.40 ” ” ” 4;
“	N. 89 deg. 54’W.,	182.69 ” ” ” 5;
“	N. 0 deg. 06’W.,	460.84 ” ” ” 6;
“	N. 89 deg. 54’W.,	243.58 ” ” ” 7;
“	N. 0 deg. 05’W.,	2089.12 ” ” ” 8;
“	N. 89 deg. 55’W.,	487.14 ” ” ” 9;
“	N. 0 deg. 05’W.,	1382.51 ” ” ” 10;
“	N. 89 deg. 55’E.,	1217.79 ” ” ” 11;
“	N. 49 deg. 25’E.,	1083.98 ” ” ” 12;
“	N. 0 deg. 06’E.,	921.68 ” ” ” 13;
“	N. 33 deg. 22’W.,	773.26 ” ” ” 14;
“	N. 0 deg. 06’E.,	983.12 ” ” ” 15;
“	N. 89 deg. 54’E.,	1126.56 ” ” ” 16;
“	N. 0 deg. 06’E.,	215.05 ” ” ” 17;
“	N. 45 deg. 02’W.,	3179.12 ” ” ” 1;

Containing an area of 737 hectares, more or less.

PARCEL-5

A parcel of land (Parcel-5) situated at municipalities of San Jose and Dinagat, Dinagat Island, Province of Surigao del Norte.

Bounded on the north by Melgar Bay; on the east by Surigao Mineral Reservation; on the south and west by Awasan Bay and Melgar Bay.

Beginning at a point marked “1” on plan with a geographic coordinates of 10 deg. 01’ 57” North latitude and 125 deg. 35’10” East longitude and bearing N. 2 deg. 16’W., 6,807.59 from NAMRIA STA. SRN No. 3 Dinagat Island.

Thence	S. 35 deg. 45'E.,	5330.56 " " " 2;
"	N. 0 deg. 06'E.,	1106.02 " " " 3;
"	N. 89 deg. 54'E.,	700.52 " " " 4;
"	S. 0 deg. 06'E.,	1136.74 " " " 5;
"	S. 89 deg. 54'W.,	700.55 " " " 6;
"	S. 0 deg. 06'E.,	706.62 " " " 7;
"	S. 39 deg. 29'E.,	1152.48 " " " 8;
"	S. 0 deg. 06'E.,	1136.74 " " " 9;
"	from corner 9 following the shoreline along Awasan Bay and Melgar Bay to the point of beginning.	

Containing an area of 2,683 hectares, more or less.

PARCEL-8

A parcel of land (Parcel-8) situated at municipalities of Claver and Gigaquit, Surigao del Norte.

Bounded on the north, east, south and west by Surigao Mineral Reservation.

Beginning at a point marked "1" on plan with geographic coordinates of 9 deg. 36' 00" North latitude and 125 deg. 41' 43" East longitude and bearing N. 9 deg. 00'28.556" W., 355.49 meters from BLLM No. 1, Pls-754 of the municipality of Gigaquit.

Thence	N. 89 deg. 53'E.,	1433.17 m. to point 2;
"	S. 56 deg. 14'E.,	3306.05 " " " 3;
"	N. 0 deg. 07'W.,	921.68 " " " 4;
"	N. 89 deg. 53'E.,	914.82 " " " 5;
"	S. 0 deg. 07'E.,	2765.05 " " " 6;
"	N. 89 deg. 52'E.,	2744.68 " " " 7;
"	S. 0 deg. 08'E.,	921.68 " " " 8;

“	N. 89 deg. 52'E.,	1372.37 ” ” ” 9;
“	S. 0 deg. 08'E.,	6451.81 ” ” ” 10;
“	S. 89 deg. 52'W.,	457.53 ” ” ” 11;
“	N. 44 deg. 55'W.,	298.79 ” ” ” 12;
“	S. 89 deg. 52'W.,	915.04 ” ” ” 13;
“	S. 26 deg. 17'W.,	1029.00 ” ” ” 14;
“	S. 89 deg. 53'W.,	915.07 ” ” ” 15;
“	S. 36 deg. 33'W.,	2298.28 ” ” ” 16;
“	S. 0 deg. 07'E.,	921.67 ” ” ” 17;
“	S. 44 deg. 41'W.,	1298.83 ” ” ” 18;
“	S. 89 deg. 53'W.,	457.58 ” ” ” 19;
	S. 0 deg. 07'E.,	921.67 ” ” ” 20;
	S. 89 deg. 53'W.,	457.59 ” ” ” 21;
	S. 0 deg. 07'E.,	921.67 ” ” ” 22;
	S. 89 deg. 53'W.,	1830.38 ” ” ” 23;
	N. 37 deg. 24'W.,	1158.34 ” ” ” 24;
	N. 14 deg. 07'E.,	2852.63 ” ” ” 25;
	N. 33 deg. 23'E.,	3315.83 ” ” ” 26;
	S. 89 deg. 53'W.,	915.04 ” ” ” 27;
“	N. 0 deg. 07'W.,	921.67 ” ” ” 28;
“	N. 89 deg. 53'E.,	915.01 ” ” ” 29;
“	N. 0 deg. 07'W.,	3686.70 ” ” ” 30;
“	S. 89 deg. 53'W.,	2348.30 ” ” ” 31;
“	N. 0 deg. 07'W.,	5530.04 ” ” ” 1; which is the point of beginning.

Containing an area of 8,702 hectares, more or less.

SUMMARY

PARCEL-1-A	—	466 HAS.
PARCEL-1-B	—	330 HAS.
PARCEL-2	—	747 HAS.
PARCEL-3-A	—	32 HAS.
PARCEL-3-B	—	77 HAS.
PARCEL-3-C	—	737 HAS.
PARCEL-5	—	2,683 HAS.
PARCEL-8	—	8,702 HAS.

The exclusion of the aforementioned parcels of land, however, shall not in any way, prejudice their possible future use for mineral resources development, if when, further exploration finds it meritorious subject to existing mining laws, rules and regulations.

All areas within the reservation which fall under the classification of timberland, forest land or unclassified public land, if any, shall be deemed excluded from the scope of this Proclamation.

The Department of Environment shall retain jurisdiction over portions covered by public land applications as of the date hereof and shall continue to process such applications. All vested rights inside the reservation shall be respected.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the Republic of the Philippines to be affixed.

Done in the City of Manila, this 9th day of November in the year of Our Lord, nineteen hundred and ninety three.

(Sgd.) FIDEL V. RAMOS

By the President:

(Sgd.) TEOFISTO T. GUINGONA, JR.
Executive Secretary (Parcel-8)

MALACAÑAN PALACE
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

PROCLAMATION NO. 300, s. 1938

RESERVING FOR CITRUS EXPERIMENT STATION PURPOSES
TWO PARCELS OF THE PUBLIC DOMAIN SITUATED
IN THE BARRIO OF KISOLON, MUNICIPALITY OF
IMPASUGONG, PROVINCE OF BUKIDNON, ISLAND OF
MINDANAO

Upon the recommendation of the Secretary of Agriculture and Commerce and pursuant to the provisions of section eighty-three of Commonwealth Act Numbered One hundred and forty-one. I hereby withdraw from sale or settlement and reserve for citrus experiment station purposes, under the administration of the Director of Plant Industry, subject to private rights, if any there be, the following-described parcel of the public domain, situated in the barrio of Kisolon, municipality of Impasugong, Province of Bukidnon, Island of Mindanao, and particularly described in Bureau of Lands plan Ir-397, to wit:

Lot No. 1.—Beginning at a point marked 1 on Bureau of Lands plan Ir-397, N. 46° 54' W. 3,634.08 m., more or less, from B. L. L. M. No. 1, municipality of Impasugong, thence N. 3° 01' W. 41.96 m. to point 2; N. 13° 16' W. 73.14 m. to point 3; N. 32° 20' W. 91.12 m. to point 4; N. 22° 30' W. 49.38 m. to point 5; N. 20° 29' W. 249.29 m. to point 6; N. 20° 39' W. 248.82 m. to point 7; N. 20° 19' W. 60.25 m. to point 8; N. 7° 02' W. 19.99 m. to point 9; N. 5° 51' E. 57.21 m. to point 10; N. 4° 45' E. 182.76 m. to point 11; N. 4° 58' E. 246.80 m. to point 12; N. 4° 49' E. 247.58 m. to point 13; N. 4° 48' E. 243.44 m. to point 14; N. 4° 47' E. 224.35 m. to point 15; N. 5° 00' E. 232.05 m. to point 16; N. 4° 50' E. 249.86 m. to point 17; N. 4° 52' E. 243.26 m. to point 18; N. 4° 55' E. 246.44 m. to point 19; N. 4° 52' E. 247.48 m. to point 20; N. 5° 09' E. 247.06 m. to point 21; N. 85° 14' E. 202.30 m. to

point 22; N. 86° 02' E. 206.09 m. to point 23; S. 0° 20' E. 114.16 m. to point 24; S. 0° 26' E. 237.28 m. to point 25; S. 0° 29' W. 232.06 m. to point 26; S. 1° 35' E. 248.48 m. to point 27; S. 2° 22' E. 239.80 m. to point 28; S. 2° 04' E. 235.96 m. to point 29; S. 1° 48' E. 248.79 m. to point 30; S. 2° 12' E. 212.98 m. to point 31; S. 2° 54' E. 243.50 m. to point 32; S. 0° 36' W. 189.86 m. to point 33; S. 1° 25' E. 245.52 m. to point 34; S. 0° 22' W. 177.68 m. to point 35; S. 1° 47' E. 242.33 m. to point 36; S. 0° 02' E. 182.62 m. to point 37; S. 4° 47' W. 193.83 m. to point 38; S. 4° 22' W. 126.32 m. to point 39; S. 4° 21' W. 126.31 m. to point 40; S. 53° 39' W. 200.53 m. to point 41; S. 59° 00' W. 167.44 m. to point 42; S. 15° 16' W. 162.58 m. to point 43; S. 17° 05' W. 124.08 m. to point 44; N. 87° 15' W. 56.26 m. to point 45; N. 6° 22' E. 133.38 m. to point 46; N. 3° 08' E. 30.91 m. to point 47; N. 49° 53' W. 20.45 m. to point 48; N. 5° 21' W. 15.67 m. to point 49; N. 27° 27' E. 13.43 m. to point 50; N. 30° 09' E. 29.27 m. to point 51; N. 11° 51' E. 95.10 m. to point 52; N. 6° 31' E. 183.36 m. to point 1, point of beginning.

Containing an area of 197.8680 hectares.

Points 1, 2, 3, 4, 5, 6, 7, 8, 9, and 11 to 22, inclusive, old P. L. S. on stones; points 10, 23, 26, 27, 31, 33, 35, 37, and 40, B. L. concrete monuments; points 24, 25, 28, 29, 32, 34 and 36, crosses on trees; points 30, 39, 42, 43, and 44 to 52, inclusive, B. L. on stones; point 38, B. L. on fixed stone; point 41, stake.

Bounded on the north, by property of Consolacion Angeles; on the east, by public land; on the southeast, by Alalum Canyon; on the south, by lot No. 2; and on the west, by provincial road.

Lot No. 2.—Beginning at a point marked 1 on Bureau of Lands plan Ir-397, N. 53° 54' W. 3,359.00 m., more or less, from B. L. L. M. No. 1, municipality of Impasugong, thence S. 87° 15' E. 56.26 m. to point 2; S. 0° 13' f 172.66 m. to point 3; S. 48° 03' E. 78.87 m. to point 4; N. 85° 20' E. 65.37 m. to point 5; S. 69° 10' W. 63.44 m' to point 6; N. 68° 27' W. 117.87 m. to point 7; N. 46° 01' W. 27.34 m. to point 8; N. 14° 07' W. 25.24 m. to point 9; N. 9° 31' W. 40.30 m. to point 10; N. 18° 06' W. 36.30 m. to point 11; N. 0° 56' E. 34.64 m. to point 12; N. 32° 20' E. 58.86 m. to point 1, point of beginning.

Containing an area of 1.7841 hectares.

Points 1, 2, 6, 9, 10, 11, and 12, B. L. on stones; point 3, stake; point 4, B. L. concrete monument; point 5, B. L. on fixed stone; points 7 and 8, old P. L. S. on stones.

Bounded on the north, by lot No. 1; on the northeast and east, by Alalum Canyon; and on the southeast, southwest, and west, by provincial road.

Bearings true. Declination, 2° 00' E.

Points referred to are marked on Bureau of Lands plan Ir-397.

Surveyed: June 5-7, 1935. Approved: December 4, 1935.

In witness whereof, I have hereunto set my hand and caused the seal of the Commonwealth of the Philippines to be affixed.

Done at the City of Manila, this second day of August, in the year of Our Lord, nineteen hundred and thirty-eight, and of the Commonwealth of the Philippines, the third.

MANUEL L. QUEZON
President of the Philippines

By the President:

JORGE B. VARGAS
Secretary to the President

MALACAÑAN PALACE
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

PROCLAMATION NO. 345, s. 1938

EXCLUDING FROM THE OPERATION OF PROCLAMATION NO. 230, DATED APRIL 22, 1929, CERTAIN LOTS SITUATED IN THE MUNICIPAL DISTRICT OF LIBONA, PROVINCE OF BUKIDNON, ISLAND OF MINDANAO, AND DECLARING THE SAME OPEN TO DISPOSITION

Upon the recommendation of the Secretary of Agriculture and Commerce, I hereby exclude from the operation of Proclamation Numbered Two hundred and thirty, dated April twenty-second, nineteen hundred and twenty-nine, and declare open to disposition, lots numbered seventy-four, seventy-five, seventy-six, seventy-seven, seventy-eight, seventy-nine, eighty, five hundred and fifty, five hundred and fifty-one, five hundred and fifty-two, five hundred and fifty-three, five hundred and fifty-four, five hundred and fifty-five, and five hundred and fifty-six, described in Bureau of Lands plan Pls-12.

In witness whereof, I have hereunto set my hand and caused the seal of the Commonwealth of the Philippines to be affixed.

Done at the City of Manila, this third day of December, in the year of Our Lord, nineteen hundred and thirty-eight, and of the Commonwealth of the Philippines, the fourth.

MANUEL L. QUEZON
President of the Philippines

By the President:

JORGE B. VARGAS
Secretary to the President

MALACAÑANG

RESIDENCE OF THE PRESIDENT
OF THE PHILIPPINES
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

PROCLAMATION NO. 357, s. 1965

RESERVING FOR STOCKFARM SITE PURPOSES OF THE
BUREAU OF ANIMAL INDUSTRY CERTAIN PARCELS
OF LAND OF THE PUBLIC DOMAIN SITUATED IN THE
MUNICIPALITY OF MILAGROS, PROVINCE OF MASBATE

Upon the recommendation of the Secretary of Agriculture and Natural Resources and pursuant to the authority vested in me by law, I, Diosdado Macapagal, President of the Philippines, do hereby withdraw from sale or settlement and reserve for stockfarm site purposes, under the administration of the Director of Animal Industry, subject to private rights, if any there be, and to future classification and to the condition that the utilization of forest products shall remain to be subject to the Forest and Internal Revenue Laws and Regulations, certain parcels of land of the public domain situated in the municipality of Milagros, province of Masbate, and more particularly described as follows, to wit:

Lot 1, Nr-153

A parcel of land (Lot 1 of plan Nr-153, L.E.C. Record No. ———), situated in the municipality of Milagros, Province of Masbate. Bounded on the W., along lines 1-2-3; by Lot 2 of plan Nr-153; on the NE., and E., along lines 4-5-6-7-8-9-10-11-12-13-14, by National Road; on the S., along lines 14-15-16-17-18-19-20, by Monangi Creek; and on the W., along lines 20-21-22-1, by Lot 2, of plan Nr-153. Beginning at a point marked 1 on plan being S. 1 deg. 54 min. E., 20,716.19 meters from B.L.L.M., Aroroy Public Land Subdivision, Pls-77, thence N. 11 deg. 108 min. W., 368.00 meters

to point 2; thence N. 11 deg. 36 min. W., 198.66 meters to point 3; thence N. 9 deg. 32 min. W., 114.00 meters to point 4; thence S. 69 deg. 20 min. E., 241.22 meters to point 5; thence S. 68 deg. 03 min. E., 335.13 meters to point 6; thence S. 48 deg. 41 min. E., 167.19 meters to point 7; thence S. 18 deg. 28 min. E., 201.72 meters to point 8; thence S. 12 deg. 37 min. E., 236.30 meters to point 9; thence S. 60 deg. 38 min. E., 90.84 meters to point 10; thence S. 13 deg. 02 min. E., 104.61. meters to point 11; thence S. 43 deg. 40 min. E., 187.38 meters to point 12; thence -S. 2 deg. 23 min. W., 250.18 meters to point 13; thence S. 12 deg. 58 min. E., 119,43 meters to point 14.; thence S. 60 deg. 57 min. W., 133.31 meters to point 15; thence N. 44 deg. 19 min. W., 188.15 meters to point 16; thence N. 2 deg. 52 min. E., 121.99 meters to point 17; thence N. 65 deg. 21 min. W., 185.55 meters to point 18; thence S. 54 deg. 28 min. W., 365.92 meters to point 19; thence S. 2 deg. 21 min. E., 77.79 meters to point 20; thence N. 25 deg. 40 min. W., 156.93 meters to point 21; thence N. 10 deg. 18 min. W., 349.79 meters to point 22; thence N. 13 deg. 08 min. W., 265.73 meters to the point of beginning; containing an area of 774,336 square meters. All points referred to are indicated on the plan and marked on the ground as follows: point 19, by Three; point 22, by Cross on Tree; and the rest by B.L. Cyl. Conc. Mons; bearings true; date of survey, March 13, 1961-April 19, 1961. Approved; Nov. 7, 1962.

Lot 2, Nr-153

A parcel of land (Lot 2 of plan Nr-153, L.R.C. Record No. ———), situated in the Municipality of Milagros, Province of Masbate. Bounded on the E., along lines 1-2-3-4, by Lot 1, plan Nr-153; on the SE., E., S., and SW., along lines from corner 4 thence following the meandering boundary to corner 30, by Manangi Creek; on the SW., and SE., along lines 30-31-32-33-34-35-36-37-38-39-40, by Batongan River; on the W., along lines 40-41-42, by Public Land; along lines 42-43-44, by property of Heracleo Logal; along lines 44-45-46, by property of Rodolfo Azanza; on the NW., along lines 46-47, by Lot 1748 of plan Pls-77; along lines 47-48-49, by Lot 1749 of plan Pls-77; on the NW., N. and NW., along lines from corner 49 thence

following the meandering boundary to corner 71, by Mabatobato Creek; on the NE., along lines 71-72-73-74-75-76, by the National Highway; and on the E. and along lines 76-77-78-1, by Lot 1 of plan Nr-153. Beginning at a point marked "1" on plan being S. 1 deg. 54 min. E., 20,716.19 meters from B.L.L.M. 1, Aroroy Public Land Subdivision, Pls-77, thence S. 13 deg. 08 min. E., 265.73 meters to point 2; thence S. 10 deg. 18 min. E., 349.79 meters to point 3; thence S. 25 deg. 40 min. E., 156.93 meters to point 4; thence S. 29 deg. 14 min. W., 139.26 meters to point 5; thence N. 87 deg. 03 min. W., 260.88 meters to point 6; thence S. 48 deg. 22 min. W., 240.94 meters to point 7; thence N. 78 deg. 22 min. W., 137.32 meters to point 8; thence S. 16 deg. 17 min. W., 137.28 meters to point 9; thence S. 16 deg. 44 min. E., 128.20 min. to point 10; thence S. 42 deg. 42 min. E., 60.97 meters to point 11; thence S. 56 deg. 53 min. W., 209.24 min. to point 12; thence S. 18 deg. 47 min. W., 114.84 meters to point 13; thence S. 36 deg. 20 min. E., 88.06 meters to point 14; thence N. 69 deg. 04 min. E., 152.88 meters to point 15; thence S. 6 deg. 32 min. W., 236.95 meters to point 16; thence S. 16 deg. 50 min. W., 169.94. meters to point 17; thence S. 51 deg. 23 min. E., 107.92 meters to point 18; thence N. 75 deg. 26 min. E., 296.52 meters to point 19; thence S. 21 deg. 50 min. E., 147. 92 meters to point 20; thence S. 73 deg. 43 min. W., 191.58 meters to point 21; thence N. 85 deg. 44 min. W.,' 151.78 meters to point 22; thence S. 47 deg. 10 min. W., 142.08 meters to point 23; thence S. 65 deg. 00 min. W., 84.10 meters to point 24; thence S. 46 deg. 49 min. W., 78.42 meters to point 25; thence' N. 52 deg. 57 min. W., 84.78 meters to point 26; thence N. 38 deg. 09 min. W., 114.34 meters to point 27; thence N. 85 deg. 52 min. W., 172.80 meters to point 28; thence N. 62 deg. 40 min. W., 125.14 meters to point 29; thence N. 41 deg. 53 min. W., 206.67 meters to point 30; thence N. 12 deg. 41 min. W., 105.05 meters to point 31; thence N. 21 deg. 42 min. E., 140.35 meters to point 32; thence N 14 deg. 16 min. W., 203.63 meters to point 33; thence N. 46 deg. 34 min. W., 231.55 meters to point 34; thence N. 72 deg. 19 min. W., 162.59 meters to point 35; thence S. 4 deg. 32 min. W., 138.32 meters to point 36; thence S. 48 deg. 54 min. W., 204.94 meters to point 37; thence S. 17 deg. 51 min. W., 168.50 meters to point 38; thence S. 87 deg. 38 min. W., 131.54 meters to point 39; thence S. 45 deg. 55 min W., 181.41 meters to point 40; thence N. 5 deg. 39 min. E., 317.54 meters to point 41; thence N. 9

deg. 42 min. W., 234.71 meters to point 42; thence N. 15 deg. 26 min. W., 333.92 meters to point 43; thence N. 15 deg. 03 min. W., 114.51 meters to point 44; thence N. 23 deg. 19 min. W., 157.20 meters to point 45; thence N. 3 deg. 52 min. E., 138.74 meters to point 46; thence N. 37 deg. 23 min. E., 421.59 meters to point 47; thence N. 19 deg. 30 min. E., 142.64 meters to point 48; thence N. 21 deg. 57 min. W. 97.11 meters to point 49; thence N. 27 deg. 13 min. E., 75.44 meters to point 50; thence N. 42 deg. 12 min. E., 258.98 meters, to point 51; thence N. 41 deg. 27 min. W., 54.22 meters to point 52; thence S. 89 deg. 05 min. E., 105.75 meters to point 53; thence S. 60 deg. 42 min. E., 122.82 meters to point 54; thence N. 25 deg. 53 min. E., 101.20 meters to point 55; thence S. 53 deg. 52 min. E., 115.52 meters to point 56; thence N. 63 deg. 48 min. E., 145.74 meters to point 57; thence N. 45 deg. 45 min. W., 95.43 meters to point 58; thence N. 51 deg. 12 min. E., 88.99 meters to point 59; thence N. 23 deg. 13 min. E., 41.26 meters to point 60; thence N. 4 deg. 13 min. W., 109.28 meters to point 61; thence N. 17 deg. 35 min. E., 89.41 meters to point 62; thence N. 1 deg. 34 min. W., 91.84 meters to point 63; thence S. 85 deg. 19 min. E., 153.80 meters to point 64; thence N. 23 deg. 43 min. W., 61.26 meters to point 65; thence N. 74 deg. 14 min. E., 165.39 meters to point 66; thence N. 53 deg. 46 min. W., 60.37 meters to point 67; thence N. 74 deg. 44 min. E., 98.64 meters to point 68; thence N. 23 deg. 58 min. E., 65.98 meters to point 69; thence N. 83 deg. 40 min. E., 155.52 meters to point 70; thence N. 41 deg. 44 min. E., 248.72 meters to point 71; thence S. 8 deg. 17 min. E., 83.43 meters to point 72; thence S. 49 deg. 10 min. E., 122.86 meters to point 73; thence S. 6 deg. 51 min. W, 184.01 meters to point 74; thence S.,55 deg. 34 min. E., 146.23 meters to point 75; thence S. 77 deg. 24 . E., 281.10 meters to point 76; thence S. 9 deg. 32 min. E., 114.00 meters to point 77; thence S. 11 deg. 36 min. E., 198.66 meters to point 78; thence S. 11 deg. 10 min. E., 368.00 meters to the point of beginning; containing an area of 4,631,735 square meters. All points referred to are indicated on the plan and marked on the ground as follows: points 2, 5, 7, 23, 51, 52, 53, 54, 55 to 70 (inclusive) and 74, by "X" on Trees; point 31, by "XW" on Rock; point 41, by "X" on Boulder; points 46, 47, 48 and 49, by Old PLS. Conc. Mons.; and the rest by BL. Cyl. Conc.

Mons.; bearings true; date of survey, March 13, 1961-April 19, 1961.
Approved; November 7, 1962.

Lot 3, Nr-153

A parcel of land (lot 3, of plan Nr-153, L.R.C. Record No. —), situated in the Municipality of Milagros, Province of Masbate. Bounded on the NW., along lines 1-2-3-4-5-6-7-8-9, by Lot 7 of plan Nr-153; on the NW., and N., along lines 9-10-11-12-13-14-15-16-17-18-19-20, by Public Land (Timber Land); on the E., along lines 20-21-22, by Tanang River; on the SE., along line 22-23, by Manamoc Creek; along lines 23-24-25-26, by Public Land; on the SE., and S., along lines from corner 26 thence following the meandering boundary to corner 46, by Feeder Road; on the SW., and W., along lines 46-47-48-49-50-51-52-53-54, by National Road; on the NW., along lines 54-55-56, by property of Virginia Carillo; and along lines 56-57-58-59-1, by Lot 5 of plan Nr—153. Beginning at a point marked “1” on plan being S. 4 deg. 07 min. E., 19152.08 meters from BLIM 1, Municipality of Aroroy, Masbate, thence N. 51 deg. 59 min. E., 201.66 meters to point 2; thence N. 8 deg. 25 min. W., 158.14 meters to point 3; thence N. 59 deg. 30 min. E., 339.24 meters to point 4; thence S. 65 deg. 18 min. E., 207.59 meters to point 5; thence S. 55 deg. 54 min. E., 324.46 meters to point 6; thence N. 23 deg. 38 min. E., 168.35 meters to point 7; thence N. 7 deg. 47 min. E., 184.10 meters to point 8; thence N. 35 deg. 16 min. E., 353.04 meters to point 9; thence N. 64 deg. 08 min. E., 200.46 meters to point 10; thence N. 75 deg. 07 min. E., 211.90 meters to point 11; thence N. 67 deg. 02 min. E., 189.08 meters to point 12; thence N. 42 deg. 18 min. E., 189.76 meters to point 13; thence N. 73 deg. 03 min. E., 249.98 meters to point 14; thence N. 67 deg. 08 min. E., 240.69 meters to point 15; thence N. 78 deg. 10 min. E., 252.73 meters to point 16; thence N. 86 deg. 45 min. E., 269.77 meters to point 17; thence N. 83 deg. 10 min. E., 242.86 meters to point 18; thence N. 86 deg. 21 min. E., 236.72 meters to point 19; thence N. 84 deg. 34 min. E., 367.75 meters to point 20; thence S. 4 deg. 42 min. W., 141.69 meters to point 21; thence S. 4 deg. 53 min. W., 180.75 meters to point 22; thence S. 52 deg. 11 min. W., 190.02 meters to point 23; thence S. 45 deg. 41 min W., 357.03 meters to point 24; thence N. 68 deg. 38 min.

W., 113.92 meters to point 33; thence S. deg. 21 min. W., 232.59 meters to point 26; thence S. 72 deg. 55 min. W., 359.97 meters to point 27; thence S. 72 deg. 39 min. W., 208.79 meters to point 28; thence S. 31 deg. 3 min. W., 215.06 meters to point 29; thence S. 45 deg. 12 min. W., 210.50 meters to point 30; thence S. 45 deg. 03 min. W., 314.71 meters to point 31; thence S. 45 deg. 15 min. W., 229.87 meters to point 32; thence S. 69 deg. 31 min. W., 11392 meters to point 33; thence S 52 deg. 21 min. W., 232.59 meters to point 34; thence S. 2 deg. 03 min. W., 205.85 meters to point 35; thence S. 0 deg. 05 min. E., 131.74 meters to point 36; thence S. 32 deg. 36 min. W., 285.64 meters to point 37; thence S. 32 deg. 49 min. W., 381.18 meters to point 38; thence S. 33 deg. 02 min. W., 383.41 meters to point 39; thence S. 48 deg. 00 min. W., 280.38 meters to point 40; thence S. 48 deg. 31 min. W., 238.77 meters to point 41; thence S. 73 deg. 21 min. W., 295.08 meters to point 42; thence N. 64 deg. 26 min. W., 52.78 meters to point 43; thence N. 87 deg. 59 min. W., 196.42 meters to point 44; thence N. 80 deg. 15 min. W., 90.51 meters to point 45; thence S. 88 deg. 53 min. W., 80.95 meters to point 46; thence N. 7 deg. 03 min. W., 110.22 meters to point 47; thence N. 20 deg. 30 min. W., 231.37 meters to point 48; thence N. 47 deg. 01 min. W., 183.15 meters to point 49; thence N. 68 deg. 18 min. W., 352.14 meters to point 50; thence N. 69 deg. 21 min. W., 249.75 meters to point 51; thence N. 77 deg. 45 min. W., 275.22 meters to point 52; thence N. 49 deg. 37 min. W., 88.50 meters to point 53; thence N. 2 deg. 55 min. E., 142.40 meters to point 54; thence S. 52 deg. 17 min. W., 156.93 meters to point 55; thence N. 31 deg. 30 min. E., 282.62 meters to point 56; thence N. 77 deg. 46 min. E., 194.54 meters to point 57; thence N. 66 deg. 21 min. E., 179.76 meters to point 58; thence N. 74 deg. 39 min. E., 180.22 meters to point 59; thence N. 70 deg. 46 min. E., 348.72 meters to point of beginning; containing an area of 6,224,525 square meters. All points referred to are indicated on the plan and marked on the ground as follows; points 7, 9, and 58 by "X" on Rocks; points 8 and 25, by "X" on Trees; point 10, by "Z" on Boulder; point 55, by Old "X" on Tree; and the rest by BL. Cyl. Conc. Mons.; bearings true; date of survey, March 13, 1961-April 19, 1961. Approved; November 7, 1962.

Lot 4, Nr-153

A parcel of land (Lot 4 of plan Nr-153, L.R.C. Record No. ———), situated in the Municipality of Milagros, Province of Masbate. Bounded on the SW., along lines 1-2-3, by National Road; on the N. and NW., along lines from corner 3 thence following the meandering boundary to corner 23, by Feeder Road; on the E., along line 23-24, by Public Land; along lines 24-25-26-27-28, by Manamoc Creek; along lines 28-29-30-31-32, by Public Land; on the S., SE., and S., along lines from corner 32 thence following the meandering boundary to corner 46, by property of Enrique Legaspi; on the S., and SW., along lines from corner 46 thence following the meandering boundary to corner 63, by Monangi Creek; and on the W., along lines 63-64-65-66-67-68-1, by National Road. Beginning at a point marked “1” on plan being S. 4 deg. 03 min. E., 20,847.15 meters from B.L.L.M. 1, Municipality of Aroroy, Masbate, thence N. 57 deg. 57 min. W., 112.81 meters to point 2; thence N. 6 deg. 51 min. W., 57.05 meters to point 3; thence N. 81 deg. 28 min. E., 73.43 meters to point 4; thence S. 79 deg. 10 min. E., 98.55 meters to point 5; thence N. 89 deg. 56 min. E., 187.97 meters to point 6; thence S. 65 deg. 44 min. E., 52.31 meters to point 7; thence N. 73 deg. 29 min. E., 309.93 meters to point 8; thence N. 78 deg. 40 min. E., 241.06 meters to point 9; thence N. 48 deg. 45 min. E., 286.69 meters to point 10; thence N. 32 deg. 52 mm. E., 388.27 meters to point 11; thence N. 32 deg. 18 min. E., 384.73 meters to point 12; thence N. 32 deg. 32 min. E., 286.20 meters to point 13; thence N. 1 deg. 19 min. E., 134.40 meters to point 14; thence N. 0 deg. 47 min. E., 197.19 meters to point 15; thence N. 52 deg. 16 min. E., 220.62 meters to point 16; thence N. 68 deg. 09 min. E., 123.30 meters to point 17; thence N. 45 deg: 10 min. E., 231.71 meters to point 18; thence N. 45 deg. 06 min. E., 306.83 meters to point 19; thence N. 45 deg. 06 min. E., 219.35 meters to point 20; thence N. 31 deg. 25 min. E., 209.94 meters to point 21; thence N. 73 deg. 25 min. E., 201.68 meters to point 22; thence N. 72 deg. 50 min. E., 354.60 meters to point 23; thence S. 22 deg. 38 min. E., 347.16 meters to point 24; thence N. 84 deg. 17 min. E., 97.17 meter to point 25; thence S. 4 deg. 46 min. E., 128.19 meters to point 26; thence S. 69 deg. 18 min. E., 162.72 meters to point 27; thence S. 18 deg. 09 min. E, 321.37 meters to point 28;

thence S. 54 deg. 43 min. W., 291.40 meters to point 29; thence S. 22. deg. 11 min. W., 184.96 meters to point 30; thence S. 15 deg. 18 min. E., 247.81 meters to point 31; thence S. 15 deg. 33 min. E., 395.04 meters to point 32; thence S. 79 deg. 33 min. W., 235.32 meters to point 33; thence N. 82 deg. 48 min. W., 100.54 meters to point 34; thence S. 23 deg. 05 min. W., 229.81 meters to point 35; thence S. 21 deg. 58 min. W., 242.60 meters to point 36; thence S. 20 deg. 53 min. W., 124.23 meters to point 37; thence S. 23 deg. 36 min. W., 149.82 meters to point 38; thence S. 24 deg. 57 min. W., 123.70 meters, to point 39; thence S. 23 deg. 52 min. W., 189.21 meters to point 40; thence S. 16 deg. 35 min. W., 178.09 meters to point 41; thence S. 38 deg. 29 min. W., 133.47 meters to point 42; thence S. 19 deg. 58 min. W., 261.36 meters to point 43; thence S. 53 deg. 33 min. W., 354.50 meters to point 44; thence S. 34 deg. 31 min. W., 355.50 meters to point 45; thence S. 89 deg. 55 min. W., 299.44 meters to point 46; thence S. 48 deg. 26 min. W., 109.95 meters to point 47; thence N. 68 deg. 58 min. W., 185.12 meters to point 48; thence S. 61 deg. 32 min. W., 115.26 meters to point 49; thence N. 43 deg. 26 min. W., 81.06 meters to point 50; thence N. 79 deg. 40 min. W., 195.17 meters to point 51; thence N. 25 deg. 31 min. E., 73.33 meters to point 52; thence S. 80 deg. 37 min. W., 68.53 meters to point 53; thence N. 5 deg. 10 min. W., 52.51 meters to point 54; thence S. 74 deg. 38 min. W., 60.22 meters to point 55; thence N. 7 deg. 57 min. W., 68.48 meters to point 56; thence N. 78 deg. 46 min W., 97.07 meters to point 57; thence N. 30 deg. 58 min W. 91.57 meters to point 58; thence S. 79 deg. 14 W., 49.71 meters to point 59; thence N. 44 deg. 58, W., 166.97 meters to point 60; thence N. 77 deg. 31 min. W., 81.77 meters to point 61; thence N. 77 deg. 23 min. W., 66.10 meters to point 62; thence S. 54 deg. 12 min. W., 29.28 meters to point 63; thence S. 28 deg. 54 min. W., 68.94 meters to point 64; thence N. 83 deg. 44 min. W., 49.41 meters to point 65; thence N. 9 deg. 49 min. W., 120.79 meters to point 67; thence N. 0 deg. 44 min. W., 273.15 meters to point 67; thence N. 43 deg. 04 min. W., 191.76 meters to point 68; thence N. 13 deg. 02 min. W., 97.72 meters to the point of beginning, containing an area of 5,818,466 square meters. All points referred to are indicated on the plan and marked on the ground as follows; points 29, 35, 37, 40, 43, 46, 48, 53, 54, 55 and 64, by "X" on Trees; point 42, by "X" on Stone point 45, by Old B.F.

Conc. Mon.; and the rest by B.I. Cyl. Conc. Mons.; bearings true; date of survey, March 13, 1961-April 19, 1961. Approved: November 7, 1962.

Lot 5, Nr-153
(Claimed by Nicolas Carillo)

A parcel of land (Lot 5 of plan Nr-153, L. R. C. Record No. ———), situated in the Municipality of Milagros, Province of Masbate. Bounded on the SE., along lines 1-2-3-4-5, by Lot 3, of plan Nr-153; on the SW., along lines 5-6-7-8, by property of Virginia Carillo; on the SW., and SE., along lines 8-9-10-11-12, property of Nicolas Carillo; on the SW., along lines 12-13-14-15-16-17-18, by National Road; on the NW., along lines 18-19-20-21-22-23, by Calubian Creek; along lines 23-24-25-26, by property of Patricio Ponferada; on the N., and NW., along lines 26-27-28-29, by Lot 6 of plan Nr-153; on the NE., and N., along lines 29-30-31-32, by property of Idrolfo Laurio; and on the NE., along lines 32-33-34-35-1, by Lot 7 of plan Nr-153. Beginning at a point marked 1 on plan being S. 4 deg. 07 min. E., 19,152.08 meters from B.L.L.M. 1, Municipality of Aroroy, Masbate, thence S. 70 deg. 46' W., 348.72 meters to point 2; thence S. 74 deg. 39' W., 180.22 meters to point 3; thence S. 66 deg. 21' W., 179.77 meters to point 4; thence S. 77 deg. 46' W., 194.54 meters to point 5; thence N. 63 deg. 31' W., 129.01 meters to point 6; thence N. 61 deg. 55' W., 309.84 meters to point 7; thence N. 79 deg. 51' W., 284.38 meters to point 8; thence N. 81 deg. 00' W., 283.49 meters to point 9; thence S. 28 deg. 59' W., 353.02 meters to point 10; thence S. 21 deg. 46' W., 115.63 meters to point 11; thence S. 35 deg 23' W., 79.28 meters to point 12; thence N. 40 deg. 56' W., 133.67 meters to point 13; thence N. 28 deg. 45' E., 76.31 meters to point 14; thence N. 35 deg. 17' W., 115.77 meters to point 15; thence N. 15 deg. 01' E., 127.87 meters to point 16; thence N. 66 deg. 3,6' W., 185.85 meters to point 17; thence N. 67 deg. 44' W., 117.81 meters to point 18; thence N. 57 deg. 16' E., 245.11 meters to point 19; thence S. 87 deg. 15' E., 78.55 meters to point 20; thence N. 60 deg. 19' E., 143.82 meters to point 21; thence N. 53 deg. 26' E., 130.20 meters to point 22; thence N. 36 deg. 39' E., 98.11 meters to point 23; thence N. 57 deg. 47' E., 194.62 meters to point 24; thence N. 67 deg. 06' E., 93.33 meters to point 25; thence N. 65 deg. 10' E., 283.17 meters to point 26; thence N. 77 deg. 10' E.,

112.81 meters to point 27; thence N. 23 deg. 11' E., 300.07 meters to point 28; thence N. 65 deg. 52' E., 113.99 meters to point 29; thence S. 49 deg. 00' E., 204.79 meters to point 30; thence S. 49 deg. 41' E., 226.48 meters to point 31; thence N. 84 deg. 16' E., 142.50 meters to point 32; thence S. 14 deg. 30' W., 288.12 meters to point 33; thence S. 34 deg. 19' W., 158.92 meters to point 34; thence S. 39 deg. 05' E., 356.97 meters to point 35; thence S. 70 deg. 08' E., 174.64 meters to point of beginning; containing an area of 1,479,966 square meters. All points referred to are indicated on the plan and marked on the ground as follows: points 3 and 33, by "X" on Rocks; points 5, 6, 7, 8, 9, 11 and 12, by Old P.S.; points 21, 23 and 29 by "X" on Trees; and the rest by B.L. Cyl. Conc. Mons.; bearings true; date of survey, March 13, 1961-April 19, 1961. Approved; November 7, 1962.

Lot 6, Nr-153

A parcel of land (Lot 6 of plan Nr-153, L. R. C. Record No. _____), situated in the Municipality of Milagros, Province of Masbate. Bounded on the S., along line 1-2, by Lot 5 of plan Nr-153; on the W., along line 2-3, by property of Patricio Ponferada; along lines 3-4-5-6-7, by Calubian Creek; on the N. and E., along lines 7-8-9, by property of Idrolfo Laurio; and on the SE., along lines 9-10-1, by Lot 5 of plan Nr-153. Beginning at a point marked 1 on plan being S. 0' deg. 25' E., 18,417.50 meters from B.L.L.M. 1, Municipality of Aroroy, Masbate, thence S. 77 deg. 10' W., 112.81 meters to point 2; thence N. 19 deg. 06' E., 106.52 meters to point 3; thence N. 53 deg. 01' W., 73.35 meters to point 4; thence N. 17 deg. 59' W., 106.91 meters to point 5; thence N. 4 deg. 04' W., 172.64 meters to point 6; thence N. 25 deg. 13' E., 73.21 meters to point 7; thence N. 80 deg. 22' E., 335.60 meters to point 8; thence S. 11 deg. 25' E., 197.45 meters to point 9; thence S. 65 deg. 52' W., 113.99 meters to point 10; thence S. 23 deg. 11' W., 300.07 meters to point of beginning; containing an area of 1,479,966 square meters. All referred to are indicated on the plan and marked on the ground as follows: points 5 and 9 by "X" on Trees; and the rest by B.L. Cyl. Conc. Mons.; bearings true; date of survey, March 13, 1961-April 19, 1961. Approved; November 7, 1962.

Lot 7, Nr-153
(Claimed by Idrolfo Laurio)

A parcel of land (Lot 7 of plan Nr-153, L. R. C. Record No. —), situated in the Municipality of Milagros, Province of Masbate. Bounded on the SW., along lines 1-2-3-4-5, by Lot 5 of plan Nr-153; on the N. and NW., along lines 5-6-7-8-9-10-11, by property of Idrolfo Laurio; and on the SE., along lines 11-12-13-14-15-16-17-18-1, by Lot 3, all of plan Nr-153. Beginning at a point marked 1 on plan being S. 4 deg. 07' E., 19,152.08 meters from B.L.L.M. 1, Municipality of Aroroy, Masbate, thence N. 70 deg. 09' W., 174.64 meters to point 2; thence N. 39 deg. 05' W., 356.97 meters to point 3; thence N. 34 deg. 13' W., 158.31 meters to point 4; thence N. 14 deg. 30' W., 283.12 meters to point 5; thence N. 82 deg. 25' E., 341.96 meters to point 6; thence N. 83 deg. 37' E., 375.06 meters to point 7; thence N. 56 deg. 45' E., 389.84 meters to point 8; thence N. 60 deg. 23' E., 326.58 meters to point 9; thence N. 70 deg. 57' E., 163.72 meters to point 10; thence N. 70 deg. 37' E., 269.67 meters to point 11; thence S. 35 deg. 16' W., 353.04 meters to point 12; thence S. 7 deg. 47' W., 184.10 meters to point 13; thence S. 23 deg. 38' W., 168.35 meters to point 14; thence S. 55 deg. 54' W., 324.46 meters to point 15; thence S. 65 deg. 18' W., 207.59 meters to point 16; thence S. 59 deg. 30' W., 339.24 meters to point 17; thence S. 8 deg. 25' E., 158.14 meters to point 18; thence S. 51 deg. 59' W., 201.66 meters to the point of beginning; containing an area of 878,609 square meters. All points referred to are indicated on the plan and marked on the ground as follows: points 4, 11 and 13, by "X" on Rocks; points 8 and 12, by "X" on Trees; point 9, by "X" on Boulder; and the rest by B.L. Cyl. Conc. Mons.; bearings true; date of survey, March 13, 1961-April 19, 1961. Approved: November 7, 1962.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the Republic of the Philippines to be affixed.

Done in the City of Manila, this 7th day of February, in the year of Our Lord, nineteen hundred and sixty-five.

DIOSDADO MACAPAGAL
President of the Philippines

By the President:

RAMON A. DIAZ
Executive Secretary

MALACAÑANG
Manila

BY THE PRESIDENT OF THE PHILIPPINES

PROCLAMATION NO. 392, s. 1994

RESERVING CERTAIN PARCELS OF LAND SITUATED IN THE MUNICIPALITIES OF CALBIGA AND PINABACDAO, PROVINCE OF SAMAR FOR THE PURPOSE OF ESTABLISHING A SETTLEMENT AND AN AGRICULTURAL COMMUNITY UNDER THE AGRARIAN REFORM COMMUNITY PROGRAM OF THE DEPARTMENT OF AGRARIAN REFORM

WHEREAS, it is the policy of the State to provide a vigorous land resettlement program in order to create a truly viable social and economic structure in the country;

WHEREAS, it is the government's responsibility to provide with lands as well as technical guidance and assistance to make them independent, self-reliant and responsible citizens;

WHEREAS, a tract of public agricultural land in the Municipalities of Javier, Abuyog, Mahaplag, Baybay, Inopacan and Hilongos, all of the province of Leyte is found to be suitable for cultivation and can be developed as resettlement area;

WHEREAS, Section 85, Chapter XII, Title 5 of Commonwealth Act No. 141, otherwise known as the "Public Land Act", authorizes the President to designate, by proclamation, any tract or tracts of land of the public domain for establishment of agricultural communities; and Section 14, Chapter 4, Title I, Book III of the Administrative Code of 1987 grants the President the power to reserve for settlement or public use, and for specific public purposes, any of the lands of the public domain, the use of which is not otherwise directed by law; and

WHEREAS, Section 3(5), Chapter I, Title XI, Book IV of the Administrative Code of 1987 empowers the Department of Agrarian Reform to administer and dispose, under a settlement scheme, all portions of the public domain declared as alienable and disposable lands for speedy distribution to and development by deserving and qualified persons who do not own any land.

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by law and upon recommendation of the Secretary of Agrarian Reform and the Secretary of the Environment and Natural Resources, do hereby reserve for the purpose of establishing a settlement and an agricultural community under the administration and disposition of the Department of Agrarian Reform, subject to private rights, if any, certain parcels of land, particularly described as follows:

Technical Description

Certain parcels of land, bounded on the north by barangays Macaalam and Paligan of the Municipality of Calbiga, on the east by DENR Bauxite Reserve area, Presidential Proclamation No. 1615, on the south by the Municipality of Sta. Rita, Samar, and on the west by barangays Parasanon and Pahug of the Municipality of Pinabacdao and a national highway, and more particularly described as follows:

Beginning at a joint marked "1" on the plan located at 11° 32' 03" latitude and 125° 1' 43" longitude,

thence: N. 27 deg. 52' W.,	6,036.74 m. to point 2;
thence: N. 01 deg. 11' E.,	1,570.28 m. to point 3;
thence: N. 61 deg. 52' E.,	7,136.17 m. to point 4;
thence: S. 89 deg. 28' E.,	4,329.99 m. to point 5;
thence: S. 01 deg. 00' W.,	7,585.00 m. to point 6;
thence: S. 88 deg. 59' W.,	1,390.89 m. to point 7;
thence: S. 55 deg. 16' W.,	4,563.25 m. to point 8;

thence: S. 89 deg. 30' W., 2,560.00 m. to point of beginning; containing an area of EIGHT THOUSAND ONE HUNDRED SIXTY (8,160.00) hectares, (more or less).

The above technical descriptions are subject to adjustment based on the result of the final survey.

All areas within the reservation which fall under the classification of timberland, forest land or mineral public land, if any, shall be deemed excluded from the scope of this Proclamation.

The Department of Environment and Natural Resources shall retain jurisdiction over portions covered by public land applications as of the date hereof and shall continue to process such applications. All vested rights inside the reservation shall be respected.

DONE in the City of Manila, this 27th day of May in the Year of Our Lord Nineteen Hundred and Ninety Four.

(Sgd.) FIDEL V. RAMOS

By the President:

(Sgd.) TEOFISTO T. GUINGONA, JR.
Executive Secretary

MALACAÑANG
MANILA

PROCLAMATION NO. 418, s. 1994

RESERVING CERTAIN PARCELS OF LAND SITUATED IN THE MUNICIPALITIES OF JAVIER, ABUYOG, MAHAPLAG, INOPACAN, BAYBAY AND HILONGOS, ALL OF THE PROVINCE OF LEYTE FOR THE PURPOSE OF ESTABLISHING A SETTLEMENT AND AN AGRICULTURAL COMMUNITY UNDER THE AGRARIAN REFORM COMMUNITY PROGRAM OF THE DEPARTMENT OF AGRARIAN REFORM

WHEREAS, it is the policy of the State to provide a vigorous land resettlement program in order to create a truly viable social and economic structure in the country;

WHEREAS, it is the government's responsibility to provide the people with lands as well as technical guidance and assistance to make them independent, self-reliant and responsible citizens;

WHEREAS, a tract of public agriculture land in the Municipalities of Javier, Abuyog, Mahaplag, Baybay, Inopacan and Hilongos, all of the province of Leyte is found to be suitable for cultivation and can be developed as resettlement area;

WHEREAS, Section 85, Chapter XII, Title 5 of Commonwealth Act No. 141, otherwise known as the "Public Land Act", authorizes the President to designate, by proclamation, any tract or tracts of land of the public domain for establishment of agricultural communities; and Section 14, Chapter 4, Title I, Book III of the Administrative Code of 1987 grants the President the power to reserve for settlement or public use, and for specific public purposes, any of the lands of the public domain, the use of which is not otherwise directed by law; and

WHEREAS, Section 3(5), Chapter I, Title XI, Book IV of the Administrative Code of 1987 empowers the Department of Agrarian Reform to administer and dispose, under a settlement scheme, all portions of the public domain declared as alienable and disposable lands for speedy distribution to and development by deserving and qualified persons who do not own any land.

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by law and upon recommendation of the Secretary of Agrarian Reform and the Secretary of the Environment and Natural Resources, do hereby reserve for the purpose of establishing a settlement and an agricultural community under the administration and disposition of the Department of Agrarian Reform, subject to private rights, if any, certain parcels of land, more particularly described as follows:

Technical Description
Parcel I

A parcel of land, Parcel I, situated in Mahaplag, Abuyog, Javier, Baybay, Inopacan, all of the province of Leyte, beginning at a joint marked "I" on the plan being, S. 20 deg. 48'E., 7,426.93 m. from B.L.L.M. No. 2 Cad 897-D, Mahaplad, Leyte

thence; S. 00 deg. 04'E.,	1,001.74 m. to point 2;
thence; S. 70 deg. 02'W.,	1,168.84 m. to point 3;
thence; S. 29 deg. 03'W.,	541.26 m. to point 4;
thence; S. 17 deg. 35'W.,	342.18 m. to point 5;
thence; Due West.,	808.05 m. to point 6;
thence; N. 00 deg. 10'W.,	2,552.17 m. to point 7;
thence; S. 89 deg. 59'W.,	3,091.21 m. to point 8;
thence; N. 47 deg. 14'E.,	1,501.56 m. to point 9;
thence; N. 27 deg. 16'W.,	2,294.45 m. to point 10;
thence; S. 70 deg. 50'W.,	3,960.41 m. to point 11;

thence; S. 23 deg. 18'E.,	1,633.22 m. to point 12;
thence; S. 76 deg. 23'W.,	879.30 m. to point 13;
thence; S. 74 deg. 46'W.,	1,242.93 m. to point 14;
thence; S. 85 deg. 07'W.,	1,321.28 m. to point 15;
thence; N. 31 deg. 19'W.,	739.59 m. to point 16;
thence; N. 34 deg. 16'E.,	532.48 m. to point 17;
thence; N. 44 deg. 17'W.,	572.70 m. to point 18;
thence; N. 12 deg. 53'E.,	851.99 m. to point 19;
thence; N. 63 deg. 40'E.,	1,216.14 m. to point 20;
thence; N. 17 deg. 39'E.,	1,920.36 m. to point 21;
thence; N. 43 deg. 00'W.,	749.27 m. to point 22;
thence; N. 64 deg. 05'E.,	966.27 m. to point 23;
thence; N. 12 deg. 59'E.,	799.85 m. to point 24;
thence; N. 78 deg. 41'E.,	1,223.78 m. to point 25;
thence; N. 27 deg. 00'W.,	2,199.78 m. to point 26;
thence; N. 65 deg. 58'E.,	1,203.32 m. to point 27;
thence; S. 79 deg. 50'E.,	1,066.72 m. to point 28;
thence; S. 40 deg. 22'E.,	1,065.47 m. to point 29;
thence; S. 13 deg. 57'E.,	1,741.40 m. to point 30;
thence; N. 74 deg. 04'E.,	382.95 m. to point 31;
thence; S. 89 deg. 55'E.,	3,760.17 m. to point 32;
thence; S. 56 deg. 47'W.,	5,426.95 m. to point 33;
thence; N. 84 deg. 52'W.,	1,003.89 m. to point 34;
thence; S. 44 deg. 14'W.,	293.72 m. to point 35;
thence; S. 21 deg. 11'E.,	359.21 m. to point 36;
thence; S. 78 deg. 53'E.,	850.20 m. to point 37;
thence; N. 42 deg. 24'E.,	461.33 m. to point 38;
thence; N. 14 deg. 10'W.,	287.58 m. to point 39;

thence; N. 56 deg. 47'E.,	5,426.95 m. to point 40;
thence; Due West.,	7,216.48 m. to point 41;
thence; N. 89 deg. 58'W.,	3,169.60 m. to point 42;
thence; N. 45 deg. 28'W.,	1,697.71 m. to point 43;
thence; N. 39 deg. 01'E.,	2,365.97 m. to point 44;
thence; N. 41 deg. 38'W.,	4,363.86 m. to point 45;
thence; N. 07 deg. 08'W.,	1,621.32 m. to point 46;
thence; N. 38 deg. 11'E.,	177.97 m. to point 47;
thence; N. 03 deg. 25'W.,	1,763.23 m. to point 48;
thence; N. 47 deg. 27'W.,	1,907.07 m. to point 49;
thence; S. 17 deg. 58'E.,	1,298.35 m. to point 50;
thence; N. 34 deg. 35'W.,	176.13 m. to point 51;
thence; N. 29 deg. 57'W.,	1,021.45 m. to point 52;
thence; N. 65 deg. 47'W.,	767.65 m. to point 53;
thence; N. 15 deg. 46'E.,	1,030.37 m. to point 54;
thence; N. 44 deg. 43'W.,	1,945.44 m. to point 55;
thence; N. 57 deg. 20'E.,	2,613.22 m. to point 56;
thence; S. 82 deg. 38'E.,	3,837.61 m. to point 57;
thence; S. 23 deg. 09'E.,	8,246.44 m. to point 58;
thence; S. 39 deg. 18'E.,	12,550.50 m. to point 59;
thence; S. 43 deg. 19'W.,	1,177.79 m. to point 60;
thence; S. 16 deg. 21'E.,	2,513.05 m. to point 61;
thence; S. 85 deg. 46'E.,	1,104.03 m. to point 62;
thence; S. 09 deg. 03'E.,	3,804.30 m. to point 63;
thence; N. 20 deg. 03'W.,	2,295.15 m. to point 64;
thence; N. 30 deg. 58'W.,	991.76 m. to point 65;
thence; N. 84 deg. 52'W.,	793.20 m. to point 66;
thence; N. 23 deg. 37'W.,	746.07 m. to point 67;
thence; S. 53 deg. 11'W.,	373.55 m. to point 68;

thence; N. 42 deg. 27'W.,	3,854.88 m. to point 69;
thence; N. 08 deg. 34'W.,	4,028.63 m. to point 70;
thence; S. 06 deg. 41'W.,	2,576.24 m. to point 71;
thence; N. 50 deg. 02'W.,	780.43 m. to point 72;
thence; S. 22 deg. 03'E.,	3,681.22 m. to point 73;
thence; N. 04 deg. 52'E.,	301.19 m. to point 74;
thence; S. 33 deg. 32'E.,	706.03 m. to point 75;
thence; S. 17 deg. 02'E.,	3,443.31 m. to point 76;
thence; S. 34 deg. 17'E.,	2,915.31 m. to point 77;
thence; S. 26 deg. 39'W.,	1,003.53 m. to point 78;
thence; N. 16 deg. 25'W.,	673.86 m. to point 79;
thence; N. 62 deg. 09'W.,	236.34 m. to point 80;
thence; S. 81 deg. 09'W.,	1,820.69 m. to point 81;
thence; N. 06 deg. 57'W.,	826.14 m. to point 82;
thence; N. 03 deg. 43'E.,	743.47 m. to point 83;
thence; N. 23 deg. 23'E.,	400.52 m. to point 84;
thence; N. 04 deg. 15'W.,	778.13 m. to point 85;
thence; N. 49 deg. 49'E.,	564.52 m. to point 86;
thence; N. 23 deg. 32'W.,	1,582.57 m. to point 87;
thence; S. 14 deg. 04'W.,	619.55 m. to point 88;
thence; S. 53 deg. 19'W.,	686.23 m. to point 89;
thence; S. 16 deg. 44'E.,	1,555.85 m. to point 90;
thence; S. 79 deg. 55'E.,	519.11 m. to point 91;
thence; S. 23 deg. 23'W.,	400.52 m. to point 92;
thence; N. 77 deg. 26'W.,	768.41 m. to point 93;
thence; S. 16 deg. 04'W.,	1,414.06 m. to point 94;
thence; S. 27 deg. 46'E.,	733.54 m. to point 95;
thence; N. 71 deg. 31'E.,	943.53 m. to point 96;

thence; N. 83 deg. 28'E.,	1,765.99 m. to point 97;
thence; S. 26 deg. 33'W.,	1,341.39 m. to point 98;
thence; S. 42 deg. 25'W.,	2,710.32 m. to point 99;
thence; S. 64 deg. 09'W.,	802.65 m. to point 100;
thence; N. 61 deg. 24'W.,	396.98 m. to point 101;
thence; N. 19 deg. 21'E.,	901.10 m. to point 102;
thence; S. 89 deg. 56'W.,	642.15 m. to point 103;
thence; S. 23 deg. 39'W.,	642.90 m. to point 104;
thence; S. 65 deg. 25'E.,	714.82 m. to point 105;
thence; S. 61 deg. 57'E.,	368.20 m. to point 106;
thence; S. 35 deg. 21'E.,	1,079.20 m. to point of

beginning; containing an area of TWENTY-ONE THOUSAND EIGHT HUNDRED EIGHTY-EIGHT (21,888.00) hectares, (more or less).

Parcel II

A parcel of land, Parcel II, situated in Hilongos, Leyte. Beginning at a point marked "1" on the plan, being S. 40 deg. 35'W., 15,150.69 m. from corner of parcel I of this proclamation.

thence; S. 71 deg. 36'E.,	1,648.80 m. to point 2;
thence; S. 21 deg. 41'E.,	789.59 m. to point 3;
thence; N. 54 deg. 35'E.,	2,390.18 m. to point 4;
thence; S. 32 deg. 25'E.,	3,825.18 m. to point 5;
thence; S. 22 deg. 19'E.,	207.93 m. to point 6;
thence; S. 29 deg. 19'W.,	789.93 m. to point 7;
thence; S. 50 deg. 56'E.,	1,124.80 m. to point 8;
thence; N. 02 deg. 43'W.,	964.23 m. to point 9;
thence; N. 45 deg. 29'W.,	618.76 m. to point 10;

thence; N. 22 deg. 19'W.,	207.93 m. to point 11;
thence; N. 85 deg. 32'E.,	767.99 m. to point 12;
thence; N. 25 deg. 29'W.,	1,511.20 m. to point 13;
thence; S. 75 deg. 48'E.,	1,658.50 m. to point 14;
thence; S. 08 deg. 13'E.,	1,330.68 m. to point 15;
thence; S. 29 deg. 55'W.,	3,010.80 m. to point 16;
thence; S. 51 deg. 12'E.,	1,985.52 m. to point 17;
thence; S. 13 deg. 55'W.,	947.15 m. to point 18;
thence; N. 87 deg. 33'E.,	911.94 m. to point 19;
thence; N. 10 deg. 52'E.,	867.73 m. to point 20;
thence; N. 31 deg. 35'W.,	1,869.88 m. to point 21;
thence; N. 15 deg. 15'W.,	358.01 m. to point 22;
thence; S. 65 deg. 39'E.,	343.10 m. to point 23;
thence; N. 47 deg. 23'E.,	1,201.72 m. to point 24;
thence; S. 32 deg. 04'E.,	1,448.52 m. to point 25;
thence; S. 01 deg. 26'E.,	4,027.39 m. to point 26;
thence; S. 78 deg. 10'W.,	3,694.10 m. to point 27;
thence; N. 29 deg. 29'W.,	12,269.33 m. to point of

beginning; containing an area of FOUR THOUSAND SIX HUNDRED FORTY ONE (4,641.00) Hectares more or less.

The above technical descriptions are subject to adjustment based on the result of the final survey.

All areas within the reservation which fall under the classification of timberland, forest land or mineral public land, if any, shall be deemed excluded from the scope of this Proclamation.

The Department of Environment and Natural Resources shall retain jurisdiction over portions covered by public land applications

as of the date hereof and shall continue to process such applications. All vested rights inside the reservation shall be respected.

DONE in the City of Manila, this 1st day of July, in the Year of Our Lord Nineteen Hundred and Ninety-Four.

(Sgd.) FIDEL V. RAMOS

By the President:

(Sgd.) TEOFISTO T. GUINGONA, JR.
Executive Secretary

MALACAÑANG
Manila

BY THE PRESIDENT OF THE PHILIPPINES

PROCLAMATION NO. 446, s. 1994

RESERVING FOR RESETTLEMENT PURPOSES UNDER
THE ADMINISTRATION AND DISPOSITION OF THE
DEPARTMENT OF AGRARIAN REFORM (DAR) A CERTAIN
TRACT OF LAND OF THE PUBLIC DOMAIN SITUATED IN
GENERAL SANTOS CITY, ISLAND OF MINDANAO

Upon recommendation of the Secretary of Environment and Natural Resources, and the Secretary of Agrarian Reform, and pursuant to the provisions of Section 83 of Commonwealth Act 141, otherwise known as the Public Land Act, as amended; Section 14, Chapter 4, Title I, Book III, of the Administrative Code of 1987; and Section 51 (3) of Republic Act No. 3844, as amended, I, FIDEL V. RAMOS, President of the Philippines, do hereby reserve for resettlement purposes a certain tract of land of the public domain and declare the same open to disposition under the Comprehensive Agrarian Reform Program of the Department of Agrarian Reform, which is more particularly described as follows:

TECHNICAL DESCRIPTION

A parcel of land situated in the Municipality of General Santos City, Province of South Cotabato, Island of Mindanao;

Bounded on the North by FLGA 504; on the South East by Human Settlement and Civil Registration (Lot 1); and on the South West by the General Santos City International Airport Reservation;

Beginning at a point marked "1" on sketch plan, being S 79 deg. 39' W, 6694.81 m. from BLLM, MAKAR; thence;

N 79 deg. 13'E, 185.50 m. to point 2;

N 81 deg. 00'E, 412.00 m. to point 3;

N 83 deg. 00'E, 475.00 m. to point 4;
S 70 deg. 00'E, 575.00 m. to point 5;
S 70 deg. 00'E, 350.00 m. to point 6;
S 70 deg. 00'E, 150.00 m. to point 7;
S 70 deg. 00'E, 210.00 m. to point 8;
S 70 deg. 00'E, 140.00 m. to point 9;
N 88 deg. 15'W, 450.00 m. to point 10;
N 88 deg. 15'W, 400.00 m. to point 11;
S 01 deg. 11'W, 348.67 m. to point 12;
S 01 deg. 14'W, 400.00 m. to point 13;
S 01 deg. 14'W, 399.99 m. to point 14;
S 01 deg. 14'W, 400.01 m. to point 15;
S 01 deg. 14'W, 399.97 m. to point 16;
S 71 deg. 42'W, 60.72 m. to point 17;
N 71 deg. 21'W, 517.82 m. to point 18;
N 31 deg. 06'W, 98.13 m. to point 19;
N 06 deg. 57'W, 1,254.99 m. to point 20;
N 68 deg. 17'W, 1,196.00 m. to point of

beginning; containing an area of ONE MILLION TWO HUNDRED THOUSAND EIGHT HUNDRED SIXTY TWO (1,200,862) SQUARE METERS, more or less.

The utilization of the aforementioned parcel of land shall not, in any way, prejudice the ecological balance in the area, and removal of timber land and other forest products therein shall be subject to forest and internal revenue laws and regulations.

The Department of Environment and Natural Resources shall retain jurisdiction over portions covered by public land applications as of the date hereof and shall continue to process such application. All vested rights inside the reservation, if there be any, shall be respected.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the Republic of the Philippines to be affixed.

Done in the City of Manila, this 15th day of August, in the year of Our Lord, nineteen hundred and ninety four.

(Sgd.) FIDEL V. RAMOS

By the President:

(Sgd.) TEOFISTO T. GUINGONA, JR.
Executive Secretary

Proc. 446 s. 1994 was amended by Proc. 858 s. 1996.

MALACAÑANG
Manila

BY THE PRESIDENT OF THE PHILIPPINES

PROCLAMATION NO. 454, s. 1994

EXCLUDING FROM THE OPERATION OF EXECUTIVE ORDER NO. 63, DATED 25 JUNE 1914, AND PROCLAMATION NO. 391, DATED 13 MARCH 1939, WHICH ESTABLISHED THE MINERAL LAND RESERVATION IN THE PROVINCE OF SURIGAO, ISLAND OF MINDANAO, CERTAIN ALIENABLE AND DISPOSABLE PARCELS OF LAND EMBRACED THEREIN, AND DECLARING THE SAME OPEN TO DISPOSITION UNDER THE COMPREHENSIVE AGRARIAN REFORM OF THE DEPARTMENT OF AGRARIAN REFORM AND OTHER PERTINENT LAWS RELATIVE TO TITLING OF LANDS THAT ARE SUITABLE FOR AGRICULTURE

Upon recommendations of the Secretary of Environment and Natural Resources and the Secretary of Agrarian Reform pursuant to the provisions of Section 6 of Presidential Decree No. 463, otherwise known as the Mineral Resources Development Decree of 1974, and Executive Order No. 506 of 1992, I, FIDEL V. RAMOS, President of the Philippines, do hereby exclude certain tracts of alienable and disposable lands from the Mineral Land Reservation established under Executive Order No. 63, dated 25 June 1914, and Proclamation No. 391, dated 13 March 1939, and declare the same open to disposition under the Comprehensive Agrarian Reform Program of the Department of Agrarian Reform.

PARCEL 1-Lot 9

A parcel of land (Parcel-1; Lot 9) situated in the Municipalities of Carrascal and Cantilan, Province of Surigao del Sur;

Bounded on the North along Carrascal Bay; on the East by Lanuza Bay; on the South by the Municipality of Cantillan and on the West by Surigao Mineral Reservation.

Beginning at a point marked “1” on plan with geographic position 9 deg. 200’00” North latitude, and 125 deg. 58’57” East longitude; and bearing S 61 deg. 30’E., 831.78 meters from BLLM No. 1 CAD. 345-D of Cantilan, Surigao del Sur.

Thence; S 89 deg. 51’W,	5,700 m. to point 2;
Thence; N 00 deg. 09’W,	1,820 m. to point 3;
Thence; S 89 deg. 51’W,	400 m. to point 4;
Thence; N 00 deg. 09’W,	3,610 m. to point 5;
Thence; N 89 deg. 51’E,	600 m. to point 6;

From Point 6 following the shoreline of Carrascal Bay and Lanuza Bay in general NE-SW direction to the point of beginning.

This area encompasses the townsites/poblacions of Carrascal and Cantilan, including Barangays Caglayag, Consuelo, Gamoton, Magasang, Nokat, Tigabong, Bacolod, and Panikian, containing an approximate area of 2,774.787 hectares.

PARCEL 1-Lot 9a

A parcel of land (Parcel 1, Lot 9a) situated at the Municipality of Carrascal, Province of Surigao del Sur.

Bounded on the north, east and south by Surigao Mineral Reservation and on the east by Carrascal Bay.

Beginning at a point marked “1” on plan with a geographic position of 9 deg. 24’12” North latitude and 125 deg. 54’25” East longitude, and bearing N 46 deg. 01’W., 10,546.91 meters from BLLM No. 1 Cad. 345-D of Cantilan, Surigao del Sur.

Thence; S 89 deg. 51'W.,	1610 m. to point 2;
Thence; S 0 deg. 09'W.,	820 m. to point 3;
Thence; S 89 deg. 51'W.,	1450 m. to point 4;
Thence; N 0 deg. 09'W.,	5030 m. to point 5;
Thence; N 89 deg. 51'W.,	1860 m. to point 6;
Thence; S 0 deg. 09'W.,	520 m. to point 7;
Thence; N 89 deg. 51'E.,	1600 m. to point 8;
Thence; S 0 deg. 09'E.,	420 m. to point 9;

Thence, from Point 6 following the shoreline along Carrascal Bay in general SSW-SE direction to point of beginning.

This area is within Barangay Adlay, containing an approximate area of 990.656 hectares.

SUMMARY

PARCEL 1, LOT 9	–	2,774.787 has.
PARCEL 1, LOT 9a	–	990.656 has.

Total Area	–	3,765.443 has.

The exclusion of the aforementioned parcels of land, however, shall not in any way prejudice their possible future use for mineral resources development, if and when further exploration finds it meritorious, subject to existing mining laws rules and regulations.

All areas within the reservation, which fall under the classification of timberland, forest land, or unclassified public land, if any, shall be deemed excluded from the scope of this Proclamation.

The Department of Environment shall retain jurisdiction over portions covered by public land applications as of the date hereof

and shall continue to process such applications. All vested rights inside the reservation shall be respected.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the Republic of the Philippines to be affixed.

Done in the City of Manila, this 25th day of August, in the year of Our Lord, nineteen hundred and ninety four.

(Sgd.) FIDEL V. RAMOS

By the President:

(Sgd.) TEOFISTO T. GUINGONA, JR.
Executive Secretary

Proc. 454 s. 1994 amended EO 63 s. 1914.
Proc. 454 s. 1994 amended Proc. 391 s. 1939.

MALACAÑANG
Manila

BY THE PRESIDENT OF THE PHILIPPINES

PROCLAMATION NO. 455, s. 1994

Upon recommendation of the Secretary of Environment and Natural Resources and the Secretary of Agrarian Reform, I, FIDEL V. RAMOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby reserve for the purpose of establishing a settlement and an agricultural community under the administration and disposition of the Department of Agrarian Reform, subject to private rights, if any there be, a certain tract of land, more particularly described as follows:

A parcel of land, situated in the municipalities of Mabini, Dasol, and Infanta, Province of Pangasinan, Island of Luzon. Bounded on the NE, along lines 1-2, and succeeding lines up to line 32-33, by Timber Land; on the SE, along line 33-34, by lot 7736, Infanta CAD 779D; on the SW., along lines 34-35, 35-36, by lot 2687, Dasol Cad. 624D; along lines 36-37 and 37-38, by Public Land; on the NW., along lines 38-39, and succeeding lines up to line 122-123, by Public Land. Beginning at a point marked "1" on plan, being S 02 deg. 00'W., 5,033.61 m. from BLLM No. 1, Mabini Cad. 552D,

thence S 61 deg. 03'E.,	253.05 m. to point 2;
thence S 27 deg. 10'E.,	311.21 m. to point 3;
thence S 47 deg. 03'E.,	1,054.88 m. to point 4;
thence S 59 deg. 06'E.,	2,243.09 m. to point 5;
thence S 02 deg. 05'W.,	256.04 m. to point 6;
thence S 55 deg. 02'W.,	46.91 m. to point 7;
thence S 18 deg. 53'W.,	193.73 m. to point 8;
thence N 84 deg. 26'W.,	57.58 m. to point 9;
thence N 47 deg. 43'W.,	256.76 m. to point 10;

thence S 60 deg. 08'W.,	174.21 m. to point 11;
thence S 07 deg. 25'W.,	325.77 m. to point 12;
thence S 30 deg. 27'W.,	329.45 m. to point 13;
thence S 39 deg. 26'W.,	190.06 m. to point 14;
thence S 28 deg. 46'W.,	331.18 m. to point 15;
thence S 89 deg. 00'E.,	400.00 m. to point 16;
thence N 79 deg. 45'E.,	398.00 m. to point 17;
thence N 88 deg. 36'E.,	229.82 m. to point 18;
thence S 27 deg. 30'E.,	400.00 m. to point 19;
thence S 47 deg. 54'E.,	397.96 m. to point 20;
thence S 61 deg. 48'E.,	400.00 m. to point 21;
thence S 42 deg. 40'E.,	399.80 m. to point 22;
thence S 24 deg. 59'E.,	400.09 m. to point 23;
thence S 15 deg. 49'E.,	396.85 m. to point 24;
thence S 32 deg. 00'E.,	400.06 m. to point 25;
thence S 40 deg. 30'E.,	499.99 m. to point 26;
thence S 17 deg. 21'E.,	400.05 m. to point 27;
thence S 22 deg. 01'E.,	399.84 m. to point 28;
thence S 83 deg. 00'E.,	399.89 m. to point 29;
thence S 15 deg. 45'E.,	399.91 m. to point 30;
thence DUE SOUTH,	400.10 m. to point 31;
thence DUE SOUTH,	398.60 m. to point 32;
thence S 15 deg. 50'E.,	2,154.55 m. to point 33;
thence S 40 deg. 12'W.,	3,551.20 m. to point 34;
thence N 32 deg. 46'W.,	2,698.50 m. to point 35;
thence N 32 deg. 45'W.,	2,699.35 m. to point 36;
thence N 19 deg. 05'E.,	1,322.82 m. to point 37;

thence N 62 deg. 33'W.,	3,683.40 m. to point 38;
thence N 85 deg. 52'E.,	156.27 m. to point 39;
thence N 48 deg. 31'E.,	380.58 m. to point 40;
thence S 59 deg. 19'E.,	156.64 m. to point 41;
thence S 76 deg. 12'E.,	271.93 m. to point 42;
thence N 27 deg. 31'E.,	251.75 m. to point 43;
thence N 12 deg. 19'W.,	317.23 m. to point 44;
thence N 28 deg. 48'W.,	68.16 m. to point 45;
thence N 47 deg. 05'W.,	295.12 m. to point 46;
thence N 48 deg. 36'W.,	259.67 m. to point 47;
thence N 52 deg. 48'E.,	48.77 m. to point 48;
thence N 06 deg. 17'E.,	315.63 m. to point 49;
thence N 53 deg. 22'W.,	212.50 m. to point 50;
thence S 17 deg. 36'E.,	82.94 m. to point 51;
thence N 10 deg. 19'W.,	140.35 m. to point 52;
thence N 26 deg. 35'E.,	145.66 m. to point 53;
thence N 13 deg. 10'E.,	152.84 m. to point 54;
thence N 01 deg. 12'E.,	42.51 m. to point 55;
thence N 27 deg. 43'E.,	42.51 m. to point 56;
thence N 84 deg. 14'E.,	28.61 m. to point 57;
thence N 73 deg. 45'E.,	61.08 m. to point 58;
thence N 73 deg. 09'E.,	90.35 m. to point 59;
thence N 79 deg. 20'E.,	39.79 m. to point 60;
thence S 86 deg. 12'E.,	30.39 m. to point 61;
thence S 89 deg. 38'E.,	75.88 m. to point 62;
thence N 52 deg. 34'E.,	900.69 m. to point 63;
thence N 13 deg. 21'W.,	131.00 m. to point 64;
thence N 77 deg. 20'E.,	72.05 m. to point 65;

thence S 87 deg. 42'E.,	198.38 m. to point 66;
thence N 53 deg. 11'E.,	232.82 m. to point 67;
thence N 36 deg. 11'E.,	70.21 m. to point 68;
thence N 31 deg. 12'E.,	80.43 m. to point 69;
thence N 41 deg. 03'W.,	74.13 m. to point 70;
thence N 41 deg. 19'W.,	96.34 m. to point 71;
thence N 02 deg. 19'W.,	103.32 m. to point 72;
thence N 03 deg. 32'W.,	151.18 m. to point 73;
thence N 80 deg. 13'W.,	60.00 m. to point 74;
thence N 80 deg. 13'W.,	59.50 m. to point 75;
thence N 80 deg. 13'W.,	60.12 m. to point 76;
thence N 15 deg. 44'W.,	159.03 m. to point 77;
thence N 25 deg. 05'W.,	172.23 m. to point 78;
thence N 46 deg. 48'W.,	50.66 m. to point 79;
thence N 48 deg. 36'W.,	115.35 m. to point 80;
thence N 07 deg. 19'W.,	63.20 m. to point 81;
thence N 42 deg. 07'W.,	89.38 m. to point 82;
thence N 14 deg. 59'W.,	157.68 m. to point 83;
thence N 06 deg. 03'W.,	48.68 m. to point 84;
thence N 17 deg. 24'E.,	39.09 m. to point 85;
thence N 29 deg. 21'E.,	54.88 m. to point 86;
thence N 49 deg. 15'W.,	82.45 m. to point 87;
thence S 74 deg. 33'W.,	64.80 m. to point 88;
thence N 86 deg. 32'W.,	33.13 m. to point 89;
thence N 88 deg. 16'W.,	30.96 m. to point 90;
thence N 88 deg. 02'W.,	21.70 m. to point 91;
thence N 88 deg. 09'W.,	22.62 m. to point 92;
thence N 89 deg. 17'W.,	20.74 m. to point 93;

thence N 86 deg. 48'W.,	32.77 m. to point 94;
thence S 86 deg. 54'W.,	29.43 m. to point 95;
thence S 86 deg. 48'W.,	30.95 m. to point 97;
thence N 88 deg. 59'W.,	30.41 m. to point 98;
thence N 30 deg. 16'W.,	33.29 m. to point 99;
thence N 63 deg. 24'W.,	10.43 m. to point 100;
thence N 66 deg. 03'W.,	66.46 m. to point 101;
thence N 80 deg. 30'W.,	30.50 m. to point 102;
thence N 82 deg. 16'W.,	27.17 m. to point 103;
thence N 83 deg. 34'W.,	31.87 m. to point 104;
thence N 80 deg. 00'W.,	35.67 m. to point 105;
thence S 89 deg. 43'W.,	62.05 m. to point 106;
thence N 80 deg. 44'W.,	65.87 m. to point 107;
thence N 12 deg. 22'E.,	283.86 m. to point 108;
thence N 11 deg. 18'E.,	276.95 m. to point 109;
thence N 12 deg. 54'E.,	125.84 m. to point 110;
thence S 53 deg. 37'E.,	170.26 m. to point 111;
thence S 53 deg. 44'E.,	59.77 m. to point 112;
thence S 81 deg. 04'E.,	51.41 m. to point 113;
thence S 86 deg. 28'E.,	121.05 m. to point 114;
thence N 57 deg. 31'E.,	126.17 m. to point 115;
thence N 35 deg. 31'E.,	35.76 m. to point 116;
thence N 18 deg. 25'E.,	41.74 m. to point 117;
thence N 10 deg. 12'W.,	31.12 m. to point 118;
thence N 48 deg. 36'E.,	184.89 m. to point 119;
thence N 00 deg. 07'E.,	80.05 m. to point 120;
thence N 41 deg. 37'E.,	195.84 m. to point 121;
thence N 14 deg. 35'E.,	88.25 m. to point 122;

thence N 61 deg. 13'E., 135.25 m. to point 123;
thence S 62 deg. 30'E., 100.25 m. to point of
beginning; containing an area of FOUR THOUSAND FOUR
HUNDRED NINETY SIX (4,496) HECTARES, more or less. All
points referred to are indicated on the plan and are marked on the
ground. Corners 4 & 5 are marked by BBM NO. 27 & 23 respectively;
corner 37 by MBM No. 7, the rest by Old Points; Bearings: True.

The above technical descriptions are subject to adjustment
based on the result of the final survey.

All areas within the reservation that fall under the
classification of timberland, forest land, or mineral public land, if
any, shall be deemed excluded from the scope of this Proclamation.

The Department of Environment and Natural Resources shall
retain jurisdiction over portions covered by public land applications
as of the date hereof shall continue to process such applications. All
vested rights inside the reservation shall be respected.

IN WITNESS WHEREOF, I have hereunto set my hand and
caused the seal of the Republic of the Philippines to be affixed.

Done in the City of Manila, this 26th day of August, in the year
of Our Lord, nineteen hundred and ninety four.

(Sgd.) FIDEL V. RAMOS

By the President:

(Sgd.) TEOFISTO T. GUINGONA, JR.
Executive Secretary

MALACAÑAN PALACE
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

PROCLAMATION NO. 467, s. 1939

RESERVING FOR THE EXCLUSIVE, USE OF NON-CHRISTIANS,
A PARCEL OF THE PUBLIC DOMAIN SITUATED IN THE
BARRIO OF CULAT, MUNICIPALITY OF CASIGURAN,
PROVINCE OF TAYABAS, ISLAND OF LUZON

Upon the recommendation of the Secretary of Agriculture and Commerce and pursuant to the provisions of section eighty-four of Commonwealth Act Numbered One hundred and forty-one, as amended, I hereby reserve for the exclusive use of non-Christians, under the administration of the Secretary of the Interior, subject to private rights, if any there be, the following parcel of the public domain, situated in the barrio of Culat, municipality of Casiguran, Province of Tayabas, Island of Luzon, and particularly described in Bureau of Lands plan Ir-466, to wit:

Beginning at a point marked 1 on Bureau of Lands plan Ir-466, S. 81° 22' W. 2,326.26 m., more or less, from C. & G. S. triangulation station "War" 1929-1930, thence S. 21° 14' 239.86 m. to point 2i; S. 25° 17' W. 277.39 m. to point 3; S. 40° 05' .284.48_m._to point 4; S. 51° 23' W. 196.14 m. to point 5;. N. 41° 58' W. 279.64 m. to point 6; N. 6° 58' E. 318.54 m. to point 7; N. 15° 40' W. 190.68 m. to point 8; N. 28° 03' E. 241.76 m. to point; 9; N. 26° 41' E. 257.80 m. to point 10; N. 23° 19' E. 113.06 m. to point 11; N. 31° 56' E. 246.94 m. to point 12; S. 81° 11' E. 155.93 m. to point 13; S. 10° 10' W. 206.33 m. to point 14; S. 6° 12' E. 133.82 m. to point 15; S. 34° 40' E. 246.62' m. to point 16; S. 36° 24' E. 108.35 m. to point 1, point of beginning.

Containing an area of 62.6906 hectares.

Points 1, 5, 8, and 12, B. L. cylindrical concrete monuments; points 2, 9, and 10, galvanized-iron spikes on trees; points 3, 4, 6, 7, and 11, crosses on trees; points 13, 14, 15, and 16, stakes.

Bounded on the north and northeast by Casapsapan Bay; and on the southeast, southwest, west, and northwest, by public land.

Bearings true. Declination, 0° 18' E.

Points referred to are marked on Bureau of Lands plan Ir-466.

Surveyed: May 3-5, 1939.

Approved: August 11, 1939.

In witness whereof, I have hereunto set my hand and caused the seal of the Commonwealth of the Philippines to be affixed.

Done at the City of Manila, this ninth day of October, in the year of Our Lord, nineteen hundred and thirty-nine, and of the Commonwealth of the Philippines, the fourth.

MANUEL L. QUEZON
President of the Philippines

By the President:

JORGE B. VARGAS
Secretary to the President

MALACAÑANG
Manila

BY THE PRESIDENT OF THE PHILIPPINES

PROCLAMATION NO. 547, s. 1995

**ADOPTING AN OFFICIAL DEFINITION OF SOCIAL REFORM
AGENDA (SRA) PROGRAMS AND PROJECTS FOR
BUDGETARY AND OTHER PURPOSES**

WHEREAS, government agencies must reflect Social Reform Agenda programs and projects in their budget submission as priority, given that this is one of the priority programs of the Administration;

WHEREAS, synchronization in the planning and budgeting of the Agenda package requires the adoption of a common definition of Social Reform Agenda programs and projects; and,

WHEREAS, this definition must take into account the thrusts of the Social Reform Agenda in prioritizing certain geographical areas and in converging Flagship programs in clearly identified communities to ensure greater impact of these programs.

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby declare the adoption of the following definition for Social Reform Agenda programs and projects in the 1996 General Appropriations Act and for other purposes:

SRA programs, projects and activities are those responsive to the government commitments under the nine (9) Social Reform Flagship Programs approved pursuant to Memorandum Order No. 213 dated 17 June 1994.

These programs, projects and activities shall cater to the following Social Reform Agenda geographical focus:

2.1. Nineteen (19) priority provinces for Poverty Alleviation, Countryside Development, and Comprehensive and Integrated Delivery of Social Services (CIDSS);

2.2. Agrarian Reform Communities (ARCs) of the Department of Agrarian Reform (DAR);

2.3. Certificate of Ancestral Domain Claims (CADCs) communities of Indigenous Peoples (IPs) especially within the nine (9) priority provinces identified by the Department of Environment and Natural Resources (DENR);

2.4 Urban poor priority areas and resettlement sites especially in six (6) identified centers;

2.5 Priority bays and lakes of the Department of Agriculture; and

2.6 Other priority programs as may be determined by the Flagship champions.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the Republic of the Philippines to be affixed.

DONE, in the City of Manila, this 6th day of March, in the year of Our Lord, Nineteen Hundred and Ninety-Five.

(Sgd.) FIDEL V. RAMOS

By the President

(Sgd.) TEOFISTO T. GUINGONA, JR.
Executive Secretary

MALACAÑANG
Manila

BY THE PRESIDENT OF THE PHILIPPINES

PROCLAMATION NO. 548, s. 1995

APPROVING A POLICY ON CONVERGENCE AND ITS
OPERATIONALIZATION THROUGH THE COORDINATED
ACTION OF THE AGENCIES' TECHNICAL ACTION
OFFICERS

WHEREAS, the Social Reform Agenda (SRA) is implemented along both a sectoral focus and a geographical focus to maximize both government resources and the Flagship Programs' impact;

WHEREAS, the geographical focus involves the implementation and localization of the Social Reform Agenda and its Flagship Programs in the nineteen (19) priority provinces;

WHEREAS, there is a need to further define the government's specific focal points within these nineteen (19) priority provinces to effect a convergence of interventions and services that will bring about the desired maximum impact of the SRA Flagship Programs;

WHEREAS, the convergence of interventions and services may be fully coordinated at the technical level by the Technical Working Group composed of representatives of the Social Reform Agenda Flagship Champions;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby declare the adoption of the following policies on Convergence of Flagship Programs and Projects:

SECTION 1. Convergence shall be defined as the focusing of resources, services and interventions by Social Reform Agenda Flagship Programs and other agencies/entities on specific target families and communities;

SEC. 2. All Flagship Programs, where deemed appropriate, shall address the needs of the Basic Sectors in the following convergent areas especially in the nineteen (19) provinces and other priority geographic areas:

a Farmers and landless agricultural workers in Agrarian Reform Communities (ARCs);

b. Fisherfolk in priority bays and lakes of the Department of Agriculture;

c Indigenous peoples within areas covered by Certificates of Ancestral Domain Claims (CADCs);

d. Urban poor and workers in the informal sector in urban areas, resettlement sites and growth centers;

e Victims of disasters in resettlement sites; and,

f Basic Sectors within the Comprehensive and Integrated Delivery of Social Services (CIDSS) areas.

SEC. 3. The Minimum Basic Needs (MBN) approach to improved quality of life shall be adopted as the strategy for convergence.

SEC. 4. The process of convergence shall provide for multi-level, multi-sectoral and interagency coordination and consultation.

The Flagship Champions and concerned heads of government agencies shall instruct their respective Technical Action Officers to coordinate in the implementation of this policy of convergence.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the Republic of the Philippines to be affixed.

DONE in the City of Manila, this 6th day of March, in the year of Our Lord, Nineteen Hundred and Ninety-Five.

(Sgd.) FIDEL V. RAMOS

By the President

(Sgd.) TEOFISTO T. GUINGONA, JR.
Executive Secretary

MALACAÑANG

RESIDENCE OF THE PRESIDENT
OF THE PHILIPPINES
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

PROCLAMATION NO. 635, s. 1959

AMENDING PROCLAMATION NO. 378, DATED MARCH 13, 1953,
WHICH RESERVED FOR RURAL RECONSTRUCTION
PURPOSES UNDER THE ADMINISTRATION OF THE
SOCIAL WELFARE ADMINISTRATION CERTAIN PARCELS
OF LAND SITUATED IN THE MUNICIPALITY OF
BONGABON, PROVINCE OF NUEVA ECIJA, ISLAND OF
LUZON, BY PLACING THE ADMINISTRATION THEREOF
UNDER THE SECRETARY OF AGRICULTURE AND
NATURAL RESOURCES

Upon the recommendation of the Secretary of Agriculture and Natural Resources and pursuant to the authority vested in me by law, I, Carlos P. Garcia, President of the Philippines, do hereby amend Proclamation No. 378, dated March 13, 1953, which reserved for rural reconstruction purposes under the administration of the Social Welfare Administration, certain parcels of land situated in the municipality of Bongabon, province of Nueva Ecija, island of Luzon, by placing the administration thereof under the Secretary of Agriculture and Natural Resources who may enter into an agreement consistent with law with any civic organization like the Philippine Rural Reconstruction Movement, in order to carry out more effectively the reconstruction and rehabilitation of the rural areas.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the Republic of the Philippines to be affixed.

Done in the City of Manila, this 8th day of December, in the year of Our Lord, nineteen hundred and fifty-nine, and of the Independence of the Philippines, the fourteenth.

CARLOS P. GARCIA
President of the Philippines

By the President:

ENRIQUE C. QUEMA
Assistant Executive Secretary

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

PROCLAMATION NO. 708, s. 1995

DEDICATING THE DEPARTMENT OF AGRARIAN REFORM
BUILDING'S FOURTH FLOOR AS THE JUSTICE MILAGROS
A GERMAN HALL

WHEREAS, Justice Milagros A. German has distinguished herself not only as an illustrious member of the Court of Appeals but also as a leading advocate of land reform, dedicating most of her professional life in the upliftment of the lot of tenant-farmers;

WHEREAS, as a distinguished and illustrious member of the bench, author, lecturer, and consultant on agrarian reform law, she has left an indelible imprint in that field;

WHEREAS, it is fitting to lend recognition to her invaluable contributions and services towards the development of land reform in the country for the past 30 years;

WHEREAS, her sterling career as a brilliant lawyer, a jurist par excellence and an exemplary public servant should be emulated and remembered by the future generations of Filipinos;

NOW, THEREFOR, I, FIDEL V. RAMOS, President of the Philippines, by virtue of the powers vested in me law by, do hereby dedicate the Department of Agrarian Reform Building's fourth floor as the Justice Milagros A German Hall in recognition of her great service to the cause of law, agrarian reform and social legislation.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the Republic of the Philippines to be affixed.

Done in the City of Manila, this 12th day of December, in the year of our Lord, nineteen hundred and ninety five.

(Sgd.) FIDEL V. RAMOS

By the President:

(Sgd.) RUBEN D. TORRES
Executive Secretary

MALACAÑANG
Manila

BY THE PRESIDENT OF THE PHILIPPINES

PROCLAMATION NO. 741, s. 2004

SUPPLEMENTING PRESIDENTIAL PROCLAMATION NOS. 295 AND 965, BY INCLUDING ADDITIONAL AREA OF ABOUT 1,677.7575 HECTARES OF ALIENABLE AND DISPOSABLE LANDS FROM THE SURIGAO MINERAL RESERVATION FOUND TO BE SUITABLE AND UTILIZED FOR AGRICULTURAL PURPOSES FOR DISPOSITION UNDER THE COMPREHENSIVE AGRARIAN REFORM PROGRAM OF THE DEPARTMENT OF AGRARIAN REFORM

WHEREAS, Proclamation Nos. 295 and 965 dated 9 November 1993 and 12 February 1997, respectively, segregated and released portions of land within the Surigao Mineral Reservation for distribution to qualified beneficiaries by the Department of Agrarian Reform under the Comprehensive Agrarian Reform Program of the government;

WHEREAS, the Secretaries of the Department of Environment and Natural Resources and the Department of Agrarian Reform have entered into a Memorandum of Agreement and through their respective field offices conducted geological surveys and have determined that there exists portions of the Surigao Mineral Reservation which have low geological potential for minerals and could be possibly reclassified and disposed as agricultural land;

WHEREAS, the residents and tillers of the subject lands are clamoring for the exclusion of said lands from the mineral reservation and their distribution under the agrarian reform program of the government;

WHEREAS, Executive Order No. 448, as amended by Executive Order No. 506 of 1992 provides that “except national parks

and other protected areas, all lands or portions of the public domain reserved, by virtue of proclamation or law for specific purposes or uses by departments, bureaus and agencies of the government, which are suitable for agriculture and no longer actually, directly and exclusively used for the purpose for which they have been reserved shall be segregated from the reservations and transferred to the Department of Agrarian Reform for distribution to qualified beneficiaries under the Comprehensive Agrarian Reform Program.

WHEREAS, Section 7 of R.A. No. 7942, series of 1995, otherwise known as the Philippine Mining Act of 1995 provides that “the Secretary shall periodically review existing mineral reservations for the purpose of determining whether their continued existence is consistent with the national interest, and upon his recommendation, the President may, by proclamation, alter or modify the boundaries thereof or revert the same to the public domain without prejudice to prior existing rights”.

NOW, THEREFORE, upon the recommendation of the Secretaries of Environment and Natural Resources and Agrarian Reform, and pursuant to the provisions of Section 7 of Republic Act No. 7942, otherwise known as the Philippine Mining Act of 1995, and by virtue of the powers vested in me by law, I, GLORIA MACAPAGAL ARROYO, President of the Republic of the Philippines, do hereby exclude from the operation of Executive Order No. 63 dated 25 June 1914 and Proclamation No. 391 dated 13 March 1939 and place under the jurisdiction of the Department of Agrarian Reform for distribution under the Comprehensive Agrarian Reform Program of the government the parcels of land suitable for agricultural purposes located in the municipalities of Loreto, Libjo and Cagdianao, Island of Dinagat, all in the province of Surigao del Norte, containing an area of ONE THOUSAND SIX HUNDRED SEVENTY SEVEN and 7575/10000 (1,677.7575) HECTARES, more or less, particularly described as follows:

PARCEL I
 BARANGAY ALBOR, LIBJO,
 DINAGAT ISLAND

A parcel of land (Parcel I) situated in the Barangay of Albor, Municipality of Libjo, Dinagat Island, Surigao del Norte.

Bounded on the East, North, West and Southeast along lines 1-2-3-4-5-6-7-8-9-10-11-12-13-14-15-16-17-18-19-20-21-22-23-24-25-26-27-28-29-30-31-32-33-34-35-36-37-38-39-40-41-42-43-44-45-46-47-48-49-50-51 by Public Forest, on the Southeast along lines 51-52-1 by Block V (Alienable and Disposable), beginning at a point marked 1 on the plan being S. 14-52 W., 18,469.96 m. from SRN # 4, Dinagat Island, thence:

N. 50 – 20 E.,	258.35 m. to point 2;
N. 27 – 18 E.,	223.96 m. to point 3;
S. 46 – 41 E.,	275.13 m. to point 4;
N. 87 – 53 E.,	119.98 m. to point 5;
N. 56 – 15 E.,	214.87 m. to point 6;
S. 86 – 48 E.,	170.95 m. to point 7;
N. 49 – 01 E.,	131.02 m. to point 8;
N. 39 – 22 W.,	84.80 m. to point 9;
N. 11 – 55 W.,	59.09 m. to point 10;
N. 60 – 35 E.,	45.46 m. to point 11;
S. 76 – 18 E.,	251.44 m. to point 12;
N. 66 – 14 E.,	250.29 m. to point 13;
N. 70 – 54 E.,	87.59 m. to point 14;
N. 49 – 15 E.,	49.96 m. to point 15;
N. 18 – 12 W.,	186.63 m. to point 16;
S. 73 – 19 W.,	204.20 m. to point 17;
N. 68 – 00 W.,	244.77 m. to point 18;

S. 84 – 27 W.,	335.90 m. to point 19;
N. 12 – 39 E.,	496.56 m. to point 20;
N. 75 – 22 E.,	170.95 m. to point 21;
N. 53 – 10 E.,	128.78 m. to point 22;
N. 14 – 37 W.,	103.35 m. to point 23;
N. 81 – 04 W.,	83.87 m. to point 24;
S. 61 – 50 W.,	94.92 m. to point 25;
S. 31 – 01 W.,	31.83 m. to point 26;
N. 64 – 38 W.,	44.71 m. to point 27;
N. 14 – 19 W.,	148.02 m. to point 28;
N. 48 – 58 E.,	153.90 m. to point 29;
N. 08 – 20 W.,	154.25 m. to point 30;
N. 38 – 34 E.,	87.45 m. to point 31;
S. 76 – 42 E.,	244.94 m. to point 32;
S. 84 – 55 E.,	115.15 m. to point 33;
S. 69 – 05 E.,	243.63 m. to point 34;
S. 37 – 10 E.,	662.09 m. to point 35;
S. 38 – 35 E.,	366.28 m. to point 36;
S. 22 – 09 E.,	105.60 m. to point 37;
S. 21 – 35 W.,	123.14 m. to point 38;
S. 38 – 35 E.,	264.96 m. to point 39;
S. 61 – 33 E.,	386.89 m. to point 40;
S. 70 – 45 E.,	215.73 m. to point 41;
S. 16 – 26 W.,	315.56 m. to point 42;
N. 70 – 46 W.,	120.11 m. to point 43;
S. 67 – 38 W.,	299.66 m. to point 44;
N. 84 – 56 W.,	629.11 m. to point 45;
S. 19 – 08 W.,	106.55 m. to point 46;

S. 56 – 20 E.,	99.32 m. to point 47;
S. 05 – 09 E.,	46.94 m. to point 48;
S. 38 – 30 E.,	26.99 m. to point 49;
N. 81 – 33 W.,	84.32 m. to point 50;
S. 47 – 39 W.,	365.11 m. to point 51;
N. 00 – 06 W.,	491.68 m. to point 52;
S. 89 – 54 W.,	1,582.76 m. to the point of

beginning containing an area of 237.7138 hectares, more or less.

PARCEL II
BARANGAY OSMEÑA, LIBJO, DINAGAT ISLAND

A parcel of land (Parcel II) situated in the Barangay of Osmeña, Municipality of Libjo, Dinagat Island, Province of Surigao del Norte.

Bounded on the South, West and North along lines 1-2-3-4-5-6-7-8-9-10 by the Mineral Reservation, on the West and Southwest along lines 10-11-12-13-14-15-16-17-18-19-20-21-22-23-24-25-26-27-1 by Dayaangan bay, beginning at a point marked 1 on the plan being S. 18-32 W., 21,287.86 m. from SRN # 4, Dinagat Island, thence:

S. 88 – 43 W.,	810.12 m. to point 2;
N. 03 – 35 W.,	1,008.96 m. to point 3;
S. 66 – 01 E.,	135.32 m. to point 4;
S. 73 – 44 E.,	105.78 m. to point 5;
S. 36 – 18 W.,	50.76 m. to point 6;
S. 67 – 47 E.,	27.88 m. to point 7;
S. 29 – 06 W.,	90.73 m. to point 8;
S. 44 – 35 E.,	183.43 m. to point 9;

N. 71 – 51 E.,	147.89 m. to point 10;
S. 14 – 43 E.,	10.00 m. to point 11;
S. 22 – 47 E.,	23.47 m. to point 12;
S. 03 – 08 W.,	70.01 m. to point 13;
S. 69 – 46 E.,	42.76 m. to point 14;
S. 49 – 38 E.,	71.51 m. to point 15;
S. 75 – 28 E.,	92.13 m. to point 16;
N. 66 – 42 E.,	38.07 m. to point 17;
S. 21 – 51 E.,	39.09 m. to point 18;
S. 23 – 03 E.,	13.77 m. to point 19;
S. 03 – 50 E.,	73.72 m. to point 20;
S. 15 – 33 W.,	89.97 m. to point 21;
S. 44 – 27 E.,	121.94 m. to point 22;
S. 83 – 26 E.,	37.20 m. to point 23;
S. 30 – 25 E.,	31.11 m. to point 24;
S. 48 – 50 E.,	41.44 m. to point 25;
S. 16 – 01 E.,	46.81 m. to point 26;
S. 23 – 38 W.,	31.52 m. to point 27;
S. 18 – 25 E.,	94.93 m. to the point of

beginning containing an area of 50.0786 hectares more or less.

PARCEL III
BARANGAY SAN JUAN, LORETO, DINAGAT ISLAND

A parcel of land (Parcel III) situated in the Barangay of San Juan, Municipality of Loreto, Dinagat Island, Province of Surigao del Norte.

Bounded on the East, along lines 1-2-3-4-5-6 by the Surigao Mineral Reservation, on the South along line 6-7 by A & D as released thru Presidential Proclamation No. 965, on the West along lines

7-8-9-10-11 by the Surigao Mineral Reservation, on the North along lines 11-12-1 by A & D as released thru Presidential Proclamation No. 295, beginning at a point marked 1 on the plan being S. 43-00 E., 1,375.41 m. from SRN # 4, Dinagat Island, thence:

S. 51 – 07 W.,	1,005.62 m. to point 2;
S. 11 – 42 E.,	875.09 m. to point 3;
S. 23 – 30 E.,	313.88 m. to point 4;
S. 19 – 25 E.,	244.88 m. to point 5;
S. 11 – 08 E.,	45.83 m. to point 6;
N. 67 – 55 W.	1,102.12 m. to point 7;
N. 52 – 11 W.,	968.71 m. to point 8;
N. 29 – 15 W.,	341.63 m. to point 9;
S. 81 – 20 E.,	365.01 m. to point 10;
N. 15 – 03 W.,	347.97 m. to point 11;
N. 56 – 13 E.,	831.00 m. to point 12;
N. 89 – 54 E.,	1,382.01 m. to the point of

Beginning containing an area of 235.7261 hectares, more or less.

PARCEL IV
BARANGAY ESPERANZA, LORETO, DINAGAT ISLAND

A parcel of land (Parcel IV) situated in the Barangay of Esperanza, Municipality of Loreto, Dinagat Island, Province of Surigao del Norte.

Bounded on the East & South along lines 37-38-39-40-1-2 by the Surigao Mineral Reservation Area, on the West and North along lines 2-3-4-5-6-7-8-9-10-11-12-13-14-15-16-17-18-19-20-21-22-23-24-25-26-27-28-29-30-31-32-33-34-35-36-37 by the sea, beginning at a point marked 1 on the plan being N. 56-20 E., 3,594.38 m. from SRN # 4, Dinagat Island, thence:

N. 51 – 15 W.,	149.98 m. to point 2;
N. 09 – 51 E.,	693.32 m. to point 3;
N. 09 – 23 W.,	301.25 m. to point 4;
N. 11 – 45 E.,	278.66 m. to point 5;
N. 14 – 16 E.,	188.85 m. to point 6;
N. 32 – 18 E.,	164.83 m. to point 7;
N. 09 – 39 E.,	94.18 m. to point 8;
N. 13 – 40 E.,	55.67 m. to point 9;
N. 51 – 15 W.,	91.54 m. to point 10;
N. 62 – 33 E.,	44.60 m. to point 11;
N. 21 – 39 W.,	159.56 m. to point 12;
N. 10 – 05 E.,	215.30 m. to point 13;
N. 16 – 21 E.,	115.85 m. to point 14;
N. 21 – 21 W.,	199.11 m. to point 15;
N. 39 – 19 W.,	103.88 m. to point 16;
N. 24 – 07 W.,	168.67 m. to point 17;
N. 21 – 22 W.,	119.99 m. to point 18;
N. 18 – 34 W.,	342.53 m. to point 19;
N. 23 – 58 W.,	168.53 m. to point 20;
N. 11 – 00 W.,	311.61 m. to point 21;
N. 11 – 08 W.,	181.86 m. to point 22;
N. 17 – 49 E.,	60.38 m. to point 23;
N. 63 – 44 E.,	115.74 m. to point 24;
S. 70 – 45 E.,	141.40 m. to point 25;
S. 10 – 24 W.,	109.69 m. to point 26;
S. 41 – 54 W.,	26.48 m. to point 27;
S. 20 – 42 W.,	83.78 m. to point 28;
S. 20 – 04 E.,	67.63 m. to point 29;

S. 22 – 06 E.,	50.61 m. to point 30;
S. 41 – 34 E.,	110.60 m. to point 31;
S. 60 – 43 E.,	147.45 m. to point 32;
S. 50 – 38 E.,	58.53 m. to point 33;
S. 68 – 32 E.,	88.94 m. to point 34;
S. 67 – 58 E.,	61.54 m. to point 35;
N. 84 – 06 E.,	137.34 m. to point 36;
S. 87 – 19 E.,	219.83 m. to point 37;
S. 06 – 51 W.,	1,177.11 m. to point 38;
S. 08 – 21 W.,	1,093.18 m. to point 39;
S. 15 – 27 W.,	371.11 m. to point 40;
S. 15 – 16 W.,	781.56 m. to the point of

beginning containing an area of 137.3277 hectares more or less.

PARCEL V
POBLACION, CAGDIANAO, SURIGAO DEL NORTE

A parcel of land [Parcel V (Lot 4)] situated in the Poblacion, Municipality of Cagdianao, Dinagat Island, Province of Surigao del Norte.

Bounded on the North along lines 101-102-1 by the Surigao Mineral Reservation/Contract Area of Pacific Nickel Philippines, Inc., on the East along lines 1-2-3-4-5-6-7-8-9-10-11-12-13-14-15-16-17-18-19-20-21-22-23-24-25-26-27-28-29-30-31-32-33-34-35-36-37-38-39-40-41-42-43-44-45-46-47-48-49-50-51 by the Surigao Mineral Reservation/Dinagat Sound, on the South along lines 51-52-53-54-55-56-57-58 by the Surigao Mineral Reservation/Contract Area of Pacific Nickel Philippines, Inc., and on the West along lines 58-59-60-61-62-63-64-65-66-67-68-69-70-71-72-73-74-75-76-77-78-79-80-81-82-83-84-85-86-87-88-89-90-91-92-93-94-95-96-97-98-99-100-101 by the Surigao Mineral Reservation/Pipe and Transmission Lines of Pacific Nickel Philippines, Inc., beginning at a point marked

1 on the plan being N. 25-33W., 3,520.66 m. from SRN # 33, Dinagat Island, thence:

S. 54 – 22 W.	61.27 m. to point 2;
S. 31 – 11 W.	160.91 m. to point 3;
S. 36 – 16 W.	175.00 m. to point 4;
S. 36 – 16 W.	35.40 m. to point 5;
S. 08 – 47 E.	204.86 m. to point 6;
S. 71 – 46 E.	228.20 m. to point 7;
N. 88 – 01 E.	367.41 m. to point 8;
S. 19 – 40 W.	307.04 m. to point 9;
S. 46 – 21 W.	271.76 m. to point 10;
S. 10 – 04 E.	98.46 m. to point 11;
S. 09 – 05 E.	234.32 m. to point 12;
S. 48 – 30 E.	153.22 m. to point 13;
N. 87 – 33 E.	112.62 m. to point 14;
N. 47 – 10 E.	228.50 m. to point 15;
N. 31 – 23 W.	248.59 m. to point 16;
N. 62 – 04 E.	201.49 m. to point 17;
N. 28 – 03 E.	137.64 m. to point 18;
N. 82 – 09 E.	110.58 m. to point 19;
S. 79 – 41 E.	51.39 m. to point 20;
S. 79 – 41 E.	58.08 m. to point 21;
S. 51 – 25 E.	175.61 m. to point 22;
S. 63 – 58 E.	372.68 m. to point 23;
S. 43 – 03 E.	422.46 m. to point 24;
S. 71 – 00 E.	286.94 m. to point 25;
S. 02 – 52 W.	447.55 m. to point 26;
S. 66 – 51 W.	643.77 m. to point 27;

N. 45 – 48 W.	294.23 m. to point 28;
N. 25 – 29 W.	289.93 m. to point 29;
S. 68 – 53 W.	329.58 m. to point 30;
S. 33 – 51 E.	438.77 m. to point 31;
N. 87 – 40 E.	399.02 m. to point 32;
N. 66 – 51 E.	643.77 m. to point 33;
S. 29 – 30 W.	319.72 m. to point 34;
S. 25 – 47 W.	277.49 m. to point 35;
S. 18 – 21 W.	91.79 m. to point 36;
S. 18 – 21 W.	195.97 m. to point 37;
S. 07 – 18 W.	316.30 m. to point 38;
S. 02 – 15 W.	113.36 m. to point 39;
S. 02 – 15 W.	112.91 m. to point 40;
S. 37 – 18 E.	446.25 m. to point 41;
S. 62 – 25 E.	336.90 m. to point 42;
S. 06 – 31 W.	24.06 m. to point 43;
N. 76 – 08 W.	1,572.57 m. to point 44;
N. 63 – 17 W.	674.28 m. to point 45;
S. 22 – 36 W.	55.20 m. to point 46;
S. 63 – 18 W.	60.91 m. to point 47;
S. 37 – 29 E.	552.50 m. to point 48;
S. 19 – 10 W.	1,821.60 m. to point 49;
N. 20 – 04 W.	67.61 m. to point 50;
N. 08 – 20 W.	263.55 m. to point 51;
N. 03 – 06 W.	86.28 m. to point 52;
N. 20 – 16 W.	85.52 m. to point 53;
N. 03 – 55 W.	109.12 m. to point 54;
N. 03 – 21 W.	110.29 m. to point 55;

N. 16 – 05 W.	67.97 m. to point 56;
N. 07 – 31 W.	67.14 m. to point 57;
N. 08 – 24 W.	74.43 m. to point 58;
N. 12 – 26 W.	98.91 m. to point 59;
N. 24 – 03 W.	74.29 m. to point 60;
N. 34 – 55 W.	89.71 m. to point 61;
N. 03 – 07 W.	214.18 m. to point 62;
N. 11 – 31 W.	167.07 m. to point 63;
N. 24 – 08 E.	84.44 m. to point 64;
N. 37 – 41 E.	68.67 m. to point 65;
N. 40 – 42 E.	182.85 m. to point 66;
N. 28 – 23 E.	172.33 m. to point 67;
N. 69 – 44 E.	91.74 m. to point 68;
N. 42 – 32 E.	199.80 m. to point 69;
N. 31 – 38 E.	84.68 m. to point 70;
N. 42 – 01 E.	135.24 m. to point 71;
N. 53 – 14 E.	79.09 m. to point 72;
N. 46 – 15 E.	62.00 m. to point 73;
N. 10 – 45 E.	270.74 m. to point 74;
N. 08 – 01 W.	91.64 m. to point 75;
N. 11 – 21 W.	251.79 m. to point 76;
N. 20 – 41 W.	54.18 m. to point 77;
N. 20 – 41 W.	38.76 m. to point 78;
N. 20 – 25 W.	57.18 m. to point 79;
N. 20 – 46 W.	59.71 m. to point 80;
N. 20 – 46 W.	60.40 m. to point 81;
N. 20 – 46 W.	97.00 m. to point 82;
N. 20 – 46 W.	100.13 m. to point 83;

N. 68 – 20 W.	173.51 m. to point 84;
N. 60 – 03 W.	156.74 m. to point 85;
N. 70 – 12 W.	427.80 m. to point 86;
N. 66 – 18 W.	95.60 m. to point 87;
N. 57 – 02 W.	168.31 m. to point 88;
N. 43 – 38 W.	54.99 m. to point 89;
N. 38 – 29 W.	81.62 m. to point 90;
N. 31 – 55 W.	59.16 m. to point 91;
N. 47 – 10 W.	155.60 m. to point 92;
N. 39 – 33 W.	84.02 m. to point 93;
N. 34 – 22 W.	176.81 m. to point 94;
N. 39 – 06 W.	247.04 m. to point 95;
N. 16 – 56 E.	123.26 m. to point 96;
N. 19 – 23 E.	166.31 m. to point 97;
N. 28 – 25 E.	248.84 m. to point 98;
N. 10 – 04 E.	170.22 m. to point 99;
N. 18 – 44 E.	99.29 m. to point 100;
N. 12 – 48 E.	14.99 m. to point 101;
N. 67 – 27 E.	204.12 m. to point 102;
N. 75 – 43 E.	1,249.45 m. to the point of

beginning containing an area of 764.5573 hectares more or less.

PARCEL VI
BARANGAY CABONGA-AN, CAGDIANAO, SURIGAO DEL
NORTE

A parcel of land [Parcel VI (Lot 1)] situated in the Barangay of Cabonga-an, Municipality of Cagdianao, Dinagat Island, Province of Surigao del Norte.

Bounded on the South, West, North and East along lines 1-2-3-4-5-6-7-8-9-10-11-12-13-14-15-16-17-18-19-20-21-22-23-24-25-26-27-28-29-30-31-32-33-34-35-36-37-38-39-40-41-42-43-44-45-46-47-48-49-50-51-52-53-54-55-56-57-58-59-60-61-62-63-64-65-66-67-68-69-70-71-72-73-74-75-76-77-78-79-80-81-82-83-84-85-86-87-88-89-90-91-92-93-94-95-96-97-98-99-100-101-102-103-104-105-106-107-108-1 by the Surigao Mineral Reservation/Contract Area of Pacific Nickel Philippines, Inc. (Pipe and Transmission Lines/Silica Deposit), beginning at a point marked 1 on the plan being S. 41-07 W., 3,327.62 m. from SRN # 33, Dinagat Island, thence:

S. 73 – 26 E.	98.73 m. to point 2;
S. 50 – 37 E.	94.81 m. to point 3;
S. 16 – 51 W.	187.89 m. to point 4;
N. 38 – 05 W.	99.86 m. to point 5;
N. 38 – 06 W.	17.34 m. to point 6;
N. 75 – 37 W.	287.02 m. to point 7;
S. 73 – 32 W.	348.06 m. to point 8;
N. 03 – 53 W.	352.13 m. to point 9;
N. 53 – 35 E.	287.79 m. to point 10;
N. 02 – 15 E.	427.96 m. to point 11;
N. 02 – 26 E.	326.16 m. to point 12;
N. 02 – 35 W.	210.49 m. to point 13;
N. 05 – 56 E.	380.23 m. to point 14;
N. 14 – 04 W.	269.74 m. to point 15;
N. 05 – 51 W.	251.67 m. to point 16;
N. 59 – 26 E.	202.76 m. to point 17;
N. 46 – 49 E.	334.00 m. to point 18;
N. 33 – 50 E.	280.94 m. to point 19;
N. 50 – 10 E.	213.32 m. to point 20;
N. 06 – 00 W.	270.99 m. to point 21;

N. 66 – 18 W.	188.20 m. to point 22;
N. 87 – 30 W.	175.01 m. to point 23;
N. 80 – 56 W.	277.77 m. to point 24;
N. 29 – 29 W.	328.75 m. to point 25;
N. 24 – 49 W.	405.41 m. to point 26;
N. 66 – 08 W.	208.61 m. to point 27;
N. 75 – 48 W.	192.91 m. to point 28;
N. 21 – 55 W.	225.43 m. to point 29;
N. 65 – 58 W.	215.04 m. to point 30;
N. 01 – 04 W.	195.96 m. to point 31;
N. 42 – 29 W.	87.24 m. to point 32;
N. 50 – 49 W.	190.27 m. to point 33;
N. 20 – 19 W.	133.52 m. to point 34;
S. 76 – 55 W.	332.70 m. to point 35;
N. 01 – 40 E.	330.78 m. to point 36;
N. 51 – 47 W.	144.46 m. to point 37;
N. 40 – 09 W.	228.78 m. to point 38;
N. 88 – 03 E.	48.03 m. to point 39;
N. 43 – 39 E.	71.64 m. to point 40;
S. 65 – 25 E.	526.05 m. to point 41;
S. 73 – 05 E.	98.05 m. to point 42;
S. 70 – 43 E.	136.66 m. to point 43;
N. 81 – 28 E.	19.48 m. to point 44;
N. 16 – 25 W.	23.97 m. to point 45;
N. 25 – 46 E.	22.17 m. to point 46;
N. 00 – 58 E.	47.17 m. to point 47;
N. 17 – 34 W.	40.43 m. to point 48;
N. 73 – 28 W.	29.67 m. to point 49;

N. 33 – 27 W.	77.29 m. to point 50;
N. 20 – 12 E.	32.92 m. to point 51;
N. 69 – 44 E.	49.88 m. to point 52;
N. 22 – 44 W.	145.74 m. to point 53;
N. 46 – 00 W.	65.32 m. to point 54;
N. 37 – 41 W.	119.98 m. to point 55;
N. 31 – 03 E.	59.52 m. to point 56;
S. 69 – 19 E.,	101.43 m. to point 57;
S. 24 – 54 W.	49.86 m. to point 58;
S. 34 – 48 E.	111.63 m. to point 59;
S. 34 – 48 E.	133.26 m. to point 60;
S. 28 – 19 E.	163.81 m. to point 61;
S. 47 – 58 W.	44.31 m. to point 62;
S. 06 – 34 E.	30.37 m. to point 63;
S. 50 – 06 E.	37.60 m. to point 64;
N. 50 – 35 E.	113.95 m. to point 65;
N. 88 – 28 E.	298.22 m. to point 66;
S. 00 – 58 E.	100.78 m. to point 67;
S. 08 – 55 W.	159.16 m. to point 68;
S. 28 – 41 W.	246.71 m. to point 69;
S. 28 – 17 W.	150.63 m. to point 70;
S. 13 – 41 W.	164.96 m. to point 71;
S. 34 – 22 E.	271.40 m. to point 72;
S. 43 – 51 E.	171.97 m. to point 73;
S. 39 – 03 E.	90.79 m. to point 74;
S. 34 – 56 E.	149.86 m. to point 75;
S. 37 – 30 E.	41.48 m. to point 76;
S. 48 – 01 E.	87.24 m. to point 77;

S. 30 – 30 E.	88.22 m. to point 78;
S. 59 – 00 E.	179.93 m. to point 79;
S. 64 – 01 E.	116.49 m. to point 80;
S. 68 – 30 E.	423.51 m. to point 81;
S. 77 – 01 E.	147.65 m. to point 82;
S. 68 – 20 E.	158.84 m. to point 83;
S. 22 – 06 E.	63.19 m. to point 84;
S. 22 – 06 E.	100.95 m. to point 85;
S. 22 – 06 E.	95.26 m. to point 86;
S. 22 – 06 E.	41.53 m. to point 87;
S. 19 – 45 E.	53.35 m. to point 88;
S. 14 – 34 E.	90.42 m. to point 89;
S. 11 – 58 E.	258.70 m. to point 90;
S. 11 – 29 E.	80.02 m. to point 91;
S. 18 – 09 W.	248.00 m. to point 92;
S. 45 – 54 W.	93.88 m. to point 93;
S. 81 – 06 W.	106.96 m. to point 94;
S. 67 – 24 W.	88.78 m. to point 95;
S. 71 – 19 W.	100.16 m. to point 96;
S. 68 – 00 W.	76.65 m. to point 97;
S. 54 – 15 W.	503.79 m. to point 98;
S. 08 – 28 W.	31.98 m. to point 99;
S. 03 – 01 W.	423.13 m. to point 100;
S. 20 – 14 E.	48.33 m. to point 101;
S. 23 – 09 E.	347.26 m. to point 102;
S. 40 – 12 E.	134.25 m. to point 103;
S. 09 – 38 W.	159.88 m. to point 104;
S. 32 – 59 W.	201.44 m. to point 105;

S. 09 – 40 W.	564.57 m. to point 106;
S. 21 – 04 E.	39.97 m. to point 107;
S. 64 – 51 E.	44.49 m. to point 108;
S. 62 – 34 E.	230.02 m. to the point of

beginning containing an area of 212.3002 hectares more or less.

PARCEL VII
BARANGAY CABONGA-AN, CAGDIANAO, SURIGAO DEL
NORTE

A parcel of land [Parcel VII (Lot 2)] situated in the Barangay of Cabonga-an, Municipality of Cagdianao, Dinagat Island, Province of Surigao del Norte.

Bounded on the South, East, North and West along lines 1-2-3-4-5-6-7-8-9-10-11-12-13-14-15-16-17-18-1 by the Surigao Mineral Reservation/Contract Area of Pacific Nickel Philippines, Inc., beginning at a point marked 1 on the plan being S. 59 – 32 W., 2,654.24 m. from SRN # 33, Dinagat Island, thence:

N. 22 – 35 W.	340.60 m. to point 2;
N. 20 – 12 W.	47.31 m. to point 3;
N. 02 – 54 E.	425.09 m. to point 4;
N. 53 – 32 E.	504.29 m. to point 5;
N. 67 – 00 E.	73.52 m. to point 6;
N. 72 – 08 E.	100.58 m. to point 7;
N. 67 – 18 E.	98.76 m. to point 8;
S. 26 – 53 E.	75.45 m. to point 9;
S. 37 – 21 W.	52.05 m. to point 10;
S. 52 – 04 W.	90.56 m. to point 11;
S. 42 – 02 W.	195.03 m. to point 12;

S. 61 – 28 W.	88.85 m. to point 13;
S. 33 – 31 W.	181.49 m. to point 14;
S. 40 – 57 W.	174.04 m. to point 15;
S. 29 – 29 W.	79.20 m. to point 16;
S. 23 – 34 W.	97.75 m. to point 17;
S. 08 – 20 E.	165.23 m. to point 18;
S. 03 – 25 E.	224.11 m. to the point of

beginning containing an area of 21.9380 hectares more or less.

PARCEL VIII

BARANGAY TIGBAO, CAGDIANAO, SURIGAO DEL NORTE

A parcel of land [Parcel VIII (Lot 3)] situated in the Barangay of Tigbao, Municipality of Cagdianao, Dinagat Island, Province of Surigao del Norte.

Bounded on the North, West, South and East along lines 1-2-3-4-5-6-7-8-9-10-11-12-13-14-15-16-17-18-1 by the Surigao Mineral Reservation/Contract Area of Pacific Nickel Philippines, Inc., beginning at a point marked 1 on the plan being S. 55-46 W., 2,650.07 m. from SRN # 33, Dinagat Island, thence:

S. 02 – 15 E.	96.25 m. to point 2;
S. 08 24 E.	74.43 m. to point 3;
S. 07 – 30 E.	66.36 m. to point 4;
S. 15 – 39 E.	75.23 m. to point 5;
S. 02 – 40 E.	99.19 m. to point 6;
S. 03 – 55 E.	109.90 m. to point 7;
S. 19 – 52 E.	91.72 m. to point 8;
S. 02 – 13 E.	79.40 m. to point 9;
S. 08 – 17 E.	268.16 m. to point 10;

S. 19 – 21 E.	77.95 m. to point 11;
S. 23 – 40 E.	12.73 m. to point 12;
N. 51 – 24 W.	51.35 m. to point 13;
N. 73 – 16 W.	93.08 m. to point 14;
N. 62 – 38 W.	229.56 m. to point 15;
N. 69 – 48 W.	34.45 m. to point 16;
N. 07 – 41 E.	544.11 m. to point 17;
N. 29 – 11 E.	203.55 m. to point 18;
N. 13 – 37 E.	143.81 m. to the point of

beginning containing an area of 18.1158 hectares more or less.

The technical descriptions and areas covered by this Proclamation may be subject to change as a result of the final survey and delineation on the ground. The Department of Agrarian Reform (DAR) shall be responsible for the conduct of the survey of the lands embraced by this proclamation.

The following areas are excluded from the coverage of this Proclamation:

1. All the areas within the proclamation which fall under the classification of timberland, forestland or unclassified public land or those covered by the National Integrated Protected Areas System (NIPAS);

2. All rivers and creeks; and

3. All easement requirements pursuant to the provisions of P.D. No. 705, as amended, otherwise known as the revised Forestry Code of the Philippines, P.D. No. 1067 otherwise known as the Water Code of the Philippines, Republic Act No. 1273 otherwise known as an Act to amend Section 90 of C.A. 141, known as the Public Land Act and other pertinent laws, rules and regulations.

These areas are hereby reserved for environmental protection purposes.

The Department of Environment and Natural Resources shall retain jurisdiction over the portions covered by public land applications. Vested rights in the areas subject of this Proclamation shall be respected.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the Republic of the Philippines to be affixed.

DONE in the City of Manila, this 30th day of November, in the year of Our Lord, Two Thousand and Four.

(Sgd.) GLORIA MACAPAGAL-ARROYO

By the President:

(Sgd.) EDUARDO R. ERMITA
Executive Secretary

MALACAÑANG
Manila

BY THE PRESIDENT OF THE PHILIPPINES

PROCLAMATION NO. 742, s. 1996

AMENDING PROCLAMATION NO. 166 DATED 21 JUNE 1955 ENTITLED “RESERVING FOR SETTLEMENT PURPOSES UNDER THE ADMINISTRATION AND DISPOSITION OF THE NATIONAL RESETTLEMENT AND REHABILITATION ADMINISTRATION (NARRA), A CERTAIN PARCEL OF THE PUBLIC DOMAIN SITUATED IN THE MUNICIPALITIES OF STA. INES, SAN LUIS, PROSPERIDAD, TALACOGON, BORBON AND GUADALUPE, PROVINCE OF AGUSAN, ISLAND OF MINDANAO,” BY INCLUDING CERTAIN PARCELS OF PUBLIC LAND LOCATED IN THE MUNICIPALITY OF SAN LUIS, AGUSAN DEL SUR FOR SETTLEMENT EXPANSION AND DEVELOPMENT PURPOSES UNDER THE ADMINISTRATION AND DISPOSITION BY THE DEPARTMENT OF AGRARIAN REFORM

Upon recommendation of the Secretary of Environment and Natural Resources and the Secretary of Agrarian Reform and by virtue of the powers vested in me by law, I, FIDEL V. RAMOS, President of the Republic of the Philippines, do hereby amend Proclamation No. 166 dated 21 June 1955 which reserved for settlement purposes under the administration and disposition of the National Resettlement and Rehabilitation Administration (NARRA), a certain parcel of land of the public domain situated in the municipalities of Sta. Ines, San Luis, Prosperidad, Talacogon, Borbon and Guadalupe, Province of Agusan, Island of Mindanao, by including certain parcels of land of the public domain located in San Luis, Province of Agusan del Sur, for settlement expansion and development under the administration of the Department of Agrarian Reform, subject to private rights, if any there be, which parcels of land are more particularly described as follows:

Lot 1, Swo-10-000293 (AR)

A parcel of land (Lot 1) situated in the Barangays of New Poblacion and Sta. Ines, Municipality of San Luis, Province of Agusan del Sur. Bounded on the N., along lines 8-1-2 by Lot 5, Swo-10-000293 (AR); on the NES and SE., along lines 2-3-4-5-6 by Lot 2, Swo-10-000293 (AR), and on the SW., along lines 6-7-8 by Agusan River.

Beginning at point marked "1" on the plan being S., 18° 48' E., 8,813.54 m. from BLLM No. 1, Pls-443, thence:

N. 83° 24' E.,	395.53 m. to point 2;
S. 06° 56' W.,	109.78 m. to point 3;
S. 70° 13' E.,	127.20 m. to point 4;
S. 30° 21' E.,	1,109.36 m. to point 5;
S. 32° 19' W.,	532.03 m. to point 6;
S. 70° 19' W.,	201.25 m. to point 7;
N. 38° 25' W.,	1,925.06 m. to point 8;
N. 83° 10' E.,	614.64 m. to point of

beginning, containing an area of 129.7842 hectares, more or less.

Lot 2, Swo-10-000293 (AR)

A parcel of land (Lot 2) situated in the Barangays of New Poblacion and Sta. Ines, Municipality of San Luis, Province of Agusan del Sur. Bounded on the SW., along lines 49-1-2 by Lot 3, Swo-10-000293 (AR); on the SW., along lines 2-3-4-5-6-7-8-9-10-11 by Agusan River; on the SW., along lines 11-12-13-14-15 by Lot 1, Swo-10-000293 (AR); on the NW., along lines 15-16-17-18-19-20-21-22 by Lot 5, Swo 10-000293 (AR); on the NE., along lines 22-23-24-25-26-27-28-29-30-31-32-33-34-35 by Timber Land LC Map No. 2158, Project 19-D; on the NE., along lines 35-36-37-38-39 by

Inabumcayan Creek; and on the SE., along lines 39-40-41-42-43-44-45-46-47-48-49 by Agusan River.

Beginning at a point marked “1” on the plan being S. 23° 20’ E., 12,351.44 m. from BLLM No. 1, Pls-443, thence:

N. 76° 39’ W.,	481.35 m. to point 2;
N. 72° 25’ W.,	111.11 m. to point 3;
N. 05° 11’ E.,	206.43 m. to point 4;
N. 14° 26’ W.,	165.54 m. to point 5;
N. 31° 18’ W.,	192.45 m. to point 6;
N. 43° 36’ W.,	165.63 m. to point 7;
N. 24° 50’ W.,	195.95 m. to point 8;
N. 35° 02’ W.,	141.52 m. to point 9;
N. 30° 00’ W.,	274.73 m. to point 10;
N. 48° 17’ W.,	209.51 m. to point 11;
N. 32° 19’ E.,	532.03 m. to point 12;
N. 30° 21’ W.,	1,109.36 m. to point 13;
N. 70° 13’ W.,	127.20 m. to point 14;
N. 06° 56’ E.,	109.78 m. to point 15;
S. 84° 47’ E.,	247.48 m. to point 16;
N. 50° 24’ E.,	150.76 m. to point 17;
N. 50° 10’ E.,	93.33 m. to point 18;
N. 38° 02’ E.,	96.61 m. to point 19;
N. 63° 15’ E.,	187.50 m. to point 20;
N. 75° 22’ E.,	139.73 m. to point 21;
N. 14° 29’ E.,	121.07 m. to point 22;
S. 27° 40’ E.,	403.42 m. to point 23;
S. 33° 46’ E.,	322.12 m. to point 24;
S. 16° 35’ E.,	252.93 m. to point 25;

S. 76° 32' E.,	215.98 m. to point 26;
S. 13° 23' W.,	206.66 m. to point 27;
S. 11° 33' E.,	204.92 m. to point 28;
S. 00° 06' W.,	205.47 m. to point 29;
S. 03° 41' W.,	256.75 m. to point 30;
S. 69° 07' E.,	291.55 m. to point 31;
N. 85° 06' E.,	374.04 m. to point 32;
N. 13° 02' W.,	446.57 m. to point 33;
N. 11° 41' E.,	343.48 m. to point 34;
N. 78° 54' E.,	135.37 m. to point 35;
S. 14° 55' W.,	156.87 m. to point 36;
S. 06° 19' E.,	441.04 m. to point 37;
S. 30° 59' E.,	936.50 m. to point 38;
S. 09° 54' E.,	473.43 m. to point 39;
S. 53° 48' W.,	121.36 m. to point 40;
S. 33° 18' W.,	156.35 m. to point 41;
S. 24° 39' W.,	119.01 m. to point 42;
S. 36° 14' W.,	162.96 m. to point 43;
S. 30° 38' W.,	91.69 m. to point 44;
S. 34° 04' W.,	205.54 m. to point 45;
S. 37 49' W.,	121.97 m. to point 46;
S. 75° 38' W.,	130.01 m. to point 47;
N. 75° 34' W.,	120.52 m. to point 48;
S. 85° 14' W.,	131.75 m. to point 49;
N. 35° 43' W.,	287.58 m. to point of;

beginning, containing an area of 462.0411 hectares, more or less.

Lot 3, Swo-10-000293

A parcel of land (Lot 3) situated in the Barangays of New Poblacion and Sta. Ines, Municipality of San Luis, Province of Agusan del Sur. Bounded on the NE., along lines 8-1-2 by Lot 2, Swo-10-000293 (AR); on the SE. and SW., along lines 2-3-4-5-6-7-8 by Agusan River.

Beginning at a point marked “1” on the plan being S. 23° 20’ E., 12,331.44 m. from BLLM No. 1, Pls-443, thence;

S. 35° 43’ E.,	287.58 m. to point 2;
S. 88° 45’ W.,	144.92 m. to point 3;
S. 80° 55’ W.,	145.94 m. to point 4;
S. 87° 57’ W.,	147.70 m. to point 5;
N. 72° 56’ W.,	50.51 m. to point 6;
N. 67° 23’ W.,	193.79 m. to point 7;
N. 05° 29’ E.,	288.11 m. to point 8;
S. 76° 39’ E.,	481.35 m. to point of;

beginning, containing an area of 16.4600 hectares, more or less.

Lot 4, Swo-10-000293 (AR)

A parcel of land (Lot 4) situated in the Barangays of New Poblacion and Sta. Ines, Municipality of San Luis, Province of Agusan del Sur. Bounded on the NE. and SE., along lines 24-1-2-3-4-5-6-7-8-9-10-11-12-13-14-15-16-17-18-19-20-21 by portion of Lot 5, Swo-10-000293 (AR); and on the SW., along lines 21-22-23-24 by Agusan River.

Beginning at a point marked “1” on the plan being S. 13 ° 36’ E., 6,432.35 m. from BLLM No. 1, Pls-443, thence:

S. 74° 25' E.,	52.66 m. to point 2
N. 76° 22' E.,	46.17 m. to point 3
S. 60° 07' E.,	38.35 m. to point 4
N. 72° 45' E.,	44.51 m. to point 5
S. 64° 11' E.,	31.04 m. to point 6
N. 04° 04' W.,	23.71 m. to point 7
S.38° 02' E.,	60.95 m. to point 8
S. 24° 19' E.,	20.25 m. to point 9
S. 15° 55' E.,	49.91 m. to point 10
N. 61° 36' E.,	47.46 m. to point 11
S. 28° 03' E.,	34.53 m. to point 12
S. 08° 43' E.,	66.69 m. to point 13
S. 48° 51' E.,	33.56 m. to point 14
N. 06° 08' E.,	15.37 m. to point 15
S. 02° 05' E.,	89.17 m. to point 16
S. 30° 54' E.,	104.58 m. to point 17
S. 55° 10' W.,	129.51 m. to point 18
S. 86° 17' E.,	43.45 m. to point 19
S. 10° 02' W.,	15.77 m. to point 20
S. 06° 03' E.,	180.62 m. to point 21
N. 23° 00' W.,	278.47 m. to point 22
N. 56° 27' W.,	160.47 m. to point 23
N. 46° 33' W.,	629.09 m. to point 24
S. 59° 47' E.,	322.16 m. to point of

beginning, containing an area of 11.3834 hectares, more or less.

Lots 5, Swo-10-000293 (AR)

A parcel of land (Lot 5) situated in the Barangays of New Poblacion and Sta. Ines, Municipality of San Luis, Province of Agusan del Sur. Bounded on the SW., along line 1-2 by Lot 4, Swo-10-000293 (AR); on the SW., along lines 2-3-4-5-6-7-8-9 by Agusan River; on the NE., along line 9-30 by Timber Land, LC Map No. 2158, Project 19-D; on the SE., along lines 30-37 by Lot 2, Swo-10-000293 (AR); on the S., along lines 37-38-39 by Lot 1, Swo-10-000293 (AR); on the SW., along lines 39-43 by Agusan River and on the SW., along lines 43-62-1 by Lot 4, Swo-10-000293 (AR).

Beginning at a point marked “1” on the plan being S. 13° 36' E., 6,432.35 m. from BLLM No. 1, Pls-443, thence:

N. 59° 47' E.,	322.16 m. to point 2;
N. 60° 20' W.,	756.51 m. to point 3;
N. 09° 24' E.,	94.15 m. to point 4;
N. 88° 13' E.,	544.39 m. to point 5;
N. 68° 24' E.,	302.94 m. to point 6;
N. 33° 02' E.,	382.30 m. to point 7;
N. 01° 16' E.,	425.13 m. to point 8;
N. 26° 01' W.,	867.78 m. to point 9;
N. 87° 54' E.,	204.53 m. to point 10;
S. 46° 15' E.,	259.77 m. to point 11;
S. 55° 41' E.,	298.45 m. to point 12;
S. 15° 19' W.,	466.96 m. to point 13;
S. 10° 35' E.,	1,084.58 m. to point 14;
S. 88° 52' E.,	493.67 m. to point 15;
S. 88° 36' E.,	363.71 m. to point 16;
S. 77° 00' E.,	514.96 m. to point 17;
N. 25° 44' E.,	192.42 m. to point 18;

N. 64° 14' E.,	302.58 m. to point 19;
N. 41° 57' E.,	132.20 m. to point 20;
S. 69° 22' E.,	356.95 m. to point 21;
Due South,	306.40 m. to point 22;
Due South,	456.47 m. to point 23;
S. 73° 51' W.,	166.89 m. to point 24;
S. 39° 25' W.,	208.39 m. to point 25;
S. 39° 24' W.,	228.87 m. to point 26;
S. 14° 04' W.,	346.69 m. to point 27;
S. 18° 13' E.,	247.17 m. to point 28;
S. 54° 14' E.,	368.32 m. to point 29;
S. 47° 16' E.,	330.32 m. to point 30;
S. 14° 29' W.,	121.07 m. to point 31;
S. 75° 22' W.,	139.73 m. to point 32;
S. 63° 15' W.,	187.50 m. to point 33;
S. 38° 22' W.,	96.61 m. to point 34;
S. 40° 10' W.,	93.33 m. to point 35;
S. 50° 24' W.,	150.76 m. to point 36;
S. 84° 47' W.,	247.48 m. to point 37;
S. 83° 24' W.,	395.53 m. to point 38;
S. 83° 10' W.,	614.64 m. to point 39;
N. 04° 35' E.,	519.35 m. to point 40;
N. 19° 08' E.,	242.82 m. to point 41;
N. 10° 47' W.,	382.19 m. to point 42;
N. 39° 08' W.,	549.57 m. to point 43;
N. 06° 03' W.,	180.62 m. to point 44;
N. 10° 02' E.,	15.77 m. to point 45;
N. 86° 17' W.,	43.45 m. to point 46;
N. 35° 10' E.,	129.51 m. to point 47;

N. 30° 54' W.,	104.58 m. to point 48;
N. 32° 05' W.,	89.17 m. to point 49;
S. 06° 08' W.,	15.37 m. to point 50;
N. 48° 51' W.,	33.56 m. to point 51;
N. 08° 43' W.,	66.69 m. to point 52;
N. 28° 03' W.,	34.53 m. to point 53;
S. 61° 36' W.,	47.46 m. to point 54;
N. 15° 55' W.,	49.91 m. to point 55;
N. 24° 19' W.,	20.25 m. to point 56;
N. 58° 02' E.,	60.95 m. to point 57;
S. 04° 04' E.,	23.71 m. to point 58;
N. 64° 11' W.,	31.04 m. to point 59;
S. 72° 45' W.,	44.51 m. to point 60;
N. 60° 07' W.,	38.35 m. to point 61;
S. 76° 22' W.,	46.17 m. to point 62;
N. 74° 25' W.,	52.66 m. to point of

beginning, containing an area of 554.3897 hectares, more or less.

The parcels of land reserved herein contains an aggregate area of 1,174.5973 hectares, more or less.

The area covered by this Proclamation is subject to final survey and delineation on the ground.

All areas within the resettlement project covered by public land applications, as well as those which could be covered by such applications, when the requirements could be complied with by the lawful claimants shall continue to be processed by the Department of Environment and Natural Resources pursuant to existing laws, rules and regulations.

All activities related to natural resources including timber utilization within the resettlement project shall be processed by the Department of Environment and Natural Resources in accordance with existing laws, rules and regulations.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the Republic of the Philippines to be affixed.

DONE in the City of Manila, this 16th day of February in the year of Our Lord, Nineteen Hundred and Ninety-Six.

(Sgd.) FIDEL V. RAMOS

By the President:

(Sgd.) RUBEN D. TORRES
Executive Secretary

MALACAÑANG
Manila

BY THE PRESIDENT OF THE PHILIPPINES

PROCLAMATION NO. 835, s. 1991

AMENDING PROCLAMATION NO. 1530, DATED FEBRUARY 2, 1976, BY VESTING IN THE LAND BANK OF THE PHILIPPINES, IN LIEU OF THE PHILIPPINE AMANAH BANK, THE PRIMARY RESPONSIBILITY OF FINANCING THE ACQUISITION OF PRIVATELY OWNED PARCELS OF LAND SITUATED AT PANAMAO, TALIPAO AND TIPTIPON, PROVINCE OF SULU, WHICH ARE UNDER ADMINISTRATION AND DISPOSITION OF THE DEPARTMENT OF AGRARIAN REFORM

WHEREAS, Proclamation No. 1530, dated February 2, 1976, reserved for settlement purposes certain parcels of land situated at Panamao, Talipao and Tiptipon, Province of Sulu;

WHEREAS, the said Proclamation expressly provides that: “with respect to those lots for which certificates of title were already issued, the Department of Agrarian Reform and the Philippine Amanah Bank are hereby authorized to expropriate the said areas and/or negotiate for their acquisition pursuant to the provisions of Republic Act 3844, as amended by Republic Act 6389. Whatever amounts are necessary for the purpose shall be taken out of the funds of the Philippine Amanah Bank to finance the acquisition of the private properties covered by this Proclamation;

WHEREAS, the Philippine Amanah Bank until its closure rendered no substantial financial assistance for the acquisition of privately owned parcels of land covered by the Proclamation to the prejudice of the program;

NOW, THEREFORE, I, CORAZON C. AQUINO, President of the Philippines, upon recommendation of the Secretary of Agrarian

Reform and the President of the Land Bank of the Philippines and by virtue of the powers vested in me by law, do hereby amend the following paragraph of Proclamation No. 1530, s. 1976, to wit:

“With respect to those lots for which certificates of titles were already issued, the Department of Agrarian Reform and the Philippine Amanah Bank are hereby authorized to expropriate the said areas and/or negotiate for their acquisition pursuant to the provisions of Republic Act No. 3844, as amended by Republic Act No. 6389. Whatever amounts are necessary for the purpose shall be taken out of the funds of the Philippine Amanah Bank to finance the acquisition of the private properties covered by this Proclamation.”

which shall now read as follows:

“The Land Bank of the Philippines is hereby substituted in the place of the defunct Philippine Amanah Bank in all aspects having to do with the role of the Philippine Amanah Bank under Proclamation No. 1530, dated February 2, 1976.

“With respect to those lots, for which certificates of titles were already issued, the Department of Agrarian Reform and the Land Bank of the Philippines are hereby authorized to expropriate the said areas and/or negotiate for their acquisition pursuant to Republic Act No. 3844, as amended by Republic Act No. 6389. Whatever amounts are necessary for the purpose shall be taken out of the Agrarian Reform Fund to be drawn by the Land Bank of the Philippines to finance the acquisition of the private properties covered by this Proclamation.”

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the Republic of the Philippines to be affixed.

Done in the City of Manila, this 14th day of November, in the year of Our Lord, nineteen hundred and ninety one.

(Sgd.) CORAZON C. AQUINO

By the President:

(Sgd.) FRANKLIN M. DRILON
Executive Secretary

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

PROCLAMATION NO. 858, s. 1996

AMENDING PROCLAMATION NO. 446 DATED AUGUST 15, 1994,
SO AS TO CORRECT THE TECHNICAL DESCRIPTIONS OF
THE LAND EMBRACED THEREIN AND TO TRANSFER
THE ADMINISTRATION AND DISPOSITION OF THE SAME
FROM THE DEPARTMENT OF AGRARIAN REFORM TO
THE DEPARTMENT OF ENVIRONMENT AND NATURAL
RESOURCES

Upon recommendation of the Secretaries of Environment and Natural Resources and Agrarian Reform, and pursuant to the powers vested in me by law, I, FIDEL V. RAMOS, President of the Republic of the Philippines, do hereby amend Proclamation No. 446 dated August 15, 1994, so as to correct the technical descriptions of the land embraced therein, subject to private rights, if any there be and to transfer the administration and disposition thereof from the Department of Agrarian Reform to the Department of Environment and Natural Resources, it appearing that the parcel of land is more suitable for residential purposes rather than agricultural purposes.

As amended, the technical descriptions of the said parcel of land shall be as follows:

A PARCEL OF LAND, situated in the City of General Santos, Island of Mindanao bounded on the North along lines 1-2-3-4-5-6-7-8-9 by FLGLA 504; on the East along lines 9-10-11-12-13-14-15 by Lot 1, Mr.-11-000022 (Human Settlement); on the South along line 16-17 by FLGLA 618; and on the West along lines 17-18-19-20-1 by General Santos City International Airport Reservation (Proclamation No. 219). Beginning at a point marked "1" on sketch plan being S. 78° 48' W., 6667.97 m. from BLLM No. 1, Makar, General Santos City. Thence:

N. 79° 13' E.,	185.50 m. to point 2;
N. 81° 00' E.,	412.00 m. to point 3;
N. 83° 00' E.,	475.00 m. to point 4;
S. 70° 00' E.,	575.00 m. to point 5;
S. 70° 00' E.,	350.00 m. to point 6;
S. 70° 00' E.,	150.00 m. to point 7;
S. 70° 00' E.,	210.00 m. to point 8;
S. 70° 00' E.,	140.00 m. to point 9;
N. 88° 15' W.,	450.00 m. to point 10;
N. 88° 15' W.,	400.00 m. to point 11;
S. 01° 11' W.,	348.67 m. to point 12;
S. 01° 14' W.,	400.00 m. to point 13;
S. 01° 14' W.,	399.99 m. to point 14;
S. 01° 14' W.,	400.01 m. to point 15;
S. 01° 14' W.,	399.97 m. to point 16;
S. 71° 42' W.,	60.72 m. to point 17;
N. 15° 21' W.,	517.82 m. to point 18;
N. 31° 06' W.,	98.13 m. to point 19;
N. 06° 57' W.,	1254.99 m. to point 20;
N. 68° 17' W.,	1196.00 m. to point of

beginning, containing an area of ONE MILLION TWO HUNDRED THOUSAND EIGHT HUNDRED AND FORTY (1,200,840) square meters, more or less.

The utilization of the aforementioned parcel of land shall not, in any way, prejudice the ecological balance in the area, and the removal of timber and other forest products therein shall be subject to forest and internal revenue laws and regulations.

The Department of Environment and Natural Resources shall continue to process public land applications filed over portions of the reserved area, prior to August 15, 1994.

The DENR shall undertake a final survey and delineation on the ground of the area reserved herein.

All proclamations, orders, issuances inconsistent herewith are hereby modified accordingly.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the Republic of the Philippines to be affixed.

DONE in the City of Manila, this 22nd day of August in the year of Our Lord, Nineteen Hundred and Ninety-Six.

(Sgd.) FIDEL V. RAMOS

By the President:

(Sgd.) RUBEN D. TORRES
Executive Secretary

MALACAÑANG
Manila

BY THE PRESIDENT OF THE PHILIPPINES

PROCLAMATION NO. 861, s. 1992

RESERVING FOR THE PURPOSE OF THE URBAN, COMMERCIAL, AND INDUSTRIAL DEVELOPMENT PROGRAMS OF PALAYAN CITY, CERTAIN PARCELS OF LAND OF THE PUBLIC DOMAIN SITUATED IN THE CITY OF PALAYAN, PROVINCE OF NUEVA ECIJA, ISLAND OF LUZON

WHEREAS, Proclamation No. 20, dated July 27, 1921, as amended by Proclamation No. 377, dated March 13, 1953, and Proclamation No. 415, dated February 7, 1955 reserved 2,102.9117 hectares, more or less, of the public domain then within the territorial jurisdiction of the Municipality of Bongabon, Province of Nueva Ecija, now situated in the City of Palayan, Province of Nueva Ecija, as the Bongabon Stock Farm;

WHEREAS, Proclamation No. 983, dated March 9, 1972, revoked the Bongabon Stock Farm reservation and converted the same reservation for the purpose of the resettlement of displaced residents of Pantabangan, Nueva Ecija, designating such land reservation as Parcel “E”;

WHEREAS, Proclamation No. 983 allowed the exclusion from Parcel “E” of such area as may be needed for community development purposes as indicated by the National Irrigation Administration, then the administrator, or later by the successor in interest, the Department of Agrarian Reform;

WHEREAS, Proclamation No. 1355, dated December 3, 1974, amending Proclamation No. 983 has removed from the coverage of Parcel “E” 1,002.9117 hectares, more or less;

WHEREAS, pursuant to the exclusion clause of Proclamation No. 983 and the reduction provision of Proclamation No. 1355 and in view of the requirement of Palayan City for government centers, as well as urban, commercial and industrial development projects sites, the Department of Agrarian Reform (DAR) entered into an agreement and signed the corresponding memorandum with Palayan City on September 27, 1990, effecting the transfer of administration over a total of 719 hectares, therein referred to as Parcels “1”, “3” and “4” of the original Parcel “E” from the DAR to Palayan City;

WHEREAS, the same Memorandum of Agreement between the DAR and Palayan City provides for a joint administration by the two parties of a 316 hectares parcel, referred to as Parcel “2”, outside the Palayan City exclusive administration zone;

NOW, THEREFORE, I, CORAZON C. AQUINO, President of the Philippines, by virtue of the powers vested in me by law, do hereby reserve for sites of government centers and the purposes of the urban, commercial and industrial development programs of the City Government of Palayan (CGP), and for the agrarian reform community model building efforts jointly of the DAR and the CGP, certain parcels of the land of the public domain containing an aggregate area of Ten Million One Hundred Sixty Six Thousand Three Hundred Ninety Seven (10,166,397) square meters, subject to private rights, if any there be, which parcels are more particularly described as follows, to wit:

“A parcel of land, being a portion of Parcel “E” segregated by Proclamation No. 983, dated March 9, 1972, situated in the Barangay of Atate, City of Palayan, Province of Nueva Ecija, Island of Luzon. Bounded on the SE., along line 1-2 by NG-130; on the S., along line 2-3 by Lot 1-A, Bsd 10908; on the W., along lines 3-14 by Parcel “2” of this Proclamation; on the NW., along lines 14-17 by the Provincial Road; on the N., along lines 17-32 by Lot 22, Bsd 03-001970; and along lines 32-54 by Lot 57, Bsd-03-001969; and on the E., along line 54-55 and 55-1 by NG-130. Beginning at a point

marked “1” on the plan being N. 69 deg. 08’ E., 18,468.66 m. from BLLM No. 1, Cabanatuan Cadastre. Thence . . .

S. 09 deg. 44’ E.,	342.04 m. to point 2;
N. 73 deg. 02’ W.,	848.34 m. to point 3;
N. 01 deg. 19’ E.,	274.87 m. to point 4;
N. 77 deg. 29’ W.,	10.02 m. to point 5;
N. 02 deg. 19’ E.,	224.30 m. to point 6;
N. 02 deg. 14’ E.,	15.19 m. to point 7;
N. 21 deg. 50’ E.,	292.84 m. to point 8;
N. 33 deg. 10’ E.,	449.92 m. to point 9;
N. 56 deg. 50’ W.,	806.00 m. to point 10;
N. 56 deg. 50’ W.,	6.00 m. to point 11;
N. 30 deg. 16’ W.,	223.61 m. to point 12;
N. 09 deg. 12’ E.,	328.28 m. to point 13;
N. 56 deg. 50’ W.,	608.55 m. to point 14;
N. 62 deg. 02’ E.,	64.20 m. to point 15;
N. 62 deg. 02’ E.,	376.19 m. to point 16;
N. 57 deg. 49’ E.,	570.99 m. to point 17;
S. 04 deg. 09’ W.,	224.07 m. to point 18;
S. 10 deg. 16’ E.,	173.84 m. to point 19;
S. 78 deg. 02’ E.,	129.65 m. to point 20;
S. 29 deg. 50’ E.,	77.44 m. to point 21;
S. 14 deg. 35’ W.,	58.88 m. to point 22;
S. 51 deg. 10’ E.,	280.00 m. to point 23;
S. 51 deg. 10’ E.,	287.05 m. to point 24;
S. 66 deg. 56’ E.,	334.53 m. to point 25;
N. 41 deg. 34’ E.,	137.43 m. to point 26;
N. 36 deg. 54’ E.,	164.22 m. to point 27;

N. 23 deg. 32' E.,	113.23 m. to point 28;
N. 28 deg. 14' E.,	134.53 m. to point 29;
N. 61 deg. 27' E.,	101.62 m. to point 30;
N. 06 deg. 26' E.,	124.90 m. to point 31;
N. 08 deg. 24' E.,	241.21 m. to point 32;
N. 84 deg. 15' E.,	29.56 m. to point 33;
N. 77 deg. 22' E.,	29.57 m. to point 34;
N. 74 deg. 31' E.,	155.79 m. to point 35;
N. 71 deg. 39' E.,	28.47 m. to point 36;
N. 65 deg. 00' E.,	28.46 m. to point 37;
N. 58 deg. 15' E.,	29.17 m. to point 38;
S. 83 deg. 00' E.,	24.67 m. to point 39;
S. 89 deg. 36' E.,	24.68 m. to point 40;
N. 83 deg. 44' E.,	12.65 m. to point 41;
S. 39 deg. 28' E.,	34.88 m. to point 42;
S. 56 deg. 09' E.,	35.58 m. to point 43;
S. 69 deg. 25' E.,	35.57 m. to point 44;
S. 82 deg. 38' E.,	35.58 m. to point 45;
N. 80 deg. 55' E.,	85.88 m. to point 46;
S. 24 deg. 17' E.,	22.76 m. to point 47;
S. 32 deg. 36' E.,	22.77 m. to point 48;
S. 40 deg. 58' E.,	22.78 m. to point 49;
S. 45 deg. 12' E.,	5.92 m. to point 50;
S. 48 deg. 16' E.,	28.61 m. to point 51;
S. 54 deg. 36' E.,	28.61 m. to point 52;
S. 60 deg. 55' E.,	28.61 m. to point 53;
S. 64 deg. 05' E.,	299.61 m. to point 54;
S. 18 deg. 50' E.,	1080.59 m. to point 55;
S. 51 deg. 26' W.,	2384.33 m. to point of

beginning, containing an area of FIVE MILLION THREE HUNDRED FIFTY FIVE THOUSAND TWO HUNDRED TWENTY-ONE (5,355,211) SQUARE METERS, more or less.

Parcel “2”

“A parcel of land, being a portion of Parcel “E” segregated by Proclamation No. 983, dated March 9, 1972, situated in the Barangay of Atate, City of Palayan, Province of Nueva Ecija, Island of Luzon. Bounded on the N. and E., along lines 1-12 by Parcel “1” of this Proclamation; on the S., along line 12-13 by Lot 1-A, Bsd-10908; and on the W., along lines 13-19 by Parcel “3” of this Proclamation; and along lines 19-20-1 by Provincial Road. Beginning at a point marked “1” on the plan being N. 60 deg. 11’ E., 17,997.72 m. from BLLM No. 1, Cabanatuan Cadastre. Thence

S. 56 deg. 50’ E.,	608.55 m. to point 2;
S. 09 deg. 12’ W.,	382.28 m. to point 3;
N. 30 deg. 16’ E.,	223.61 m. to point 4;
S. 56 deg. 50’ E.,	6.00 m. to point 5;
S. 56 deg. 50’ E.,	806.00 m. to point 6;
S. 33 deg. 10’ W.,	449.92 m. to point 7;
S. 21 deg. 50’ W.,	292.84 m. to point 8;
S. 02 deg. 14’ W.,	15.10 m. to point 9;
S. 02 deg. 10’ W.,	224.30 m. to point 10;
S. 77 deg. 29’ E.,	10.02 m. to point 11;
S. 01 deg. 19’ W.,	274.87 m. to point 12;
N. 73 deg. 02’ W.,	2013.57 m. to point 13;
N. 12 deg. 10’ E.,	198.98 m. to point 14;
N. 46 deg. 49’ E.,	262.70 m. to point 15;
N. 19 deg. 31’ E.,	147.33 m. to point 16;
N. 08 deg. 19’ E.,	546.88 m. to point 17;

N. 18 deg. 18' E.,	253.57 m. to point 18;
N. 32 deg. 32' E.,	466.13 m. to point 19;
N. 62 deg. 02' E.,	279.54 m. to point 20;
N. 62 deg. 02' E.,	111.80 m. to point of

beginning, containing an area of THREE MILLION ONE HUNDRED FIFTY FIVE THOUSAND THREE HUNDRED SIXTY-EIGHT (3,155,368) SQUARE METERS, more or less.

Parcel "3"

"A parcel of land, being a portion of Parcel "E" segregated by Proclamation No. 983, dated March 9, 1972, situated in the Barangay of Atate, City of Palayan, Province of Nueva Ecija, Island of Luzon. Bounded on the S., along line 1-2 by Lot 1-A, Bsd-10908; on the W. and N. along lines 2-4 by Provincial Road; and on the E., by Parcel "2" of this Proclamation. Beginning at a point marked "1" on the plan, being N. 64 deg. 06' E., 16,204.69 meters from BLLM No. 1, Cabanatuan Cadastre. Thence

N. 73 deg. 02' W.,	526.47 m. to point 2;
N. 28 deg. 01' E.,	1419.84 m. to point 3;
N. 62 deg. 02' E.,	598.78 m. to point 4;
S. 32 deg. 32' W.,	446.13 m. to point 5;
S. 18 deg. 18' W.,	253.57 m. to point 6;
S. 08 deg. 19' W.,	546.88 m. to point 7;
S. 19 deg. 31' W.,	147.33 m. to point 8;
S. 46 deg. 49' W.,	262.70 m. to point 9;
S. 12 deg. 10' W.,	198.98 m. to point of

beginning, containing an area of SIX HUNDRED NINETY THOUSAND THREE HUNDRED TWENTY-TWO (690,322) SQUARE METERS, more or less.

Parcel “4”

“A portion of land, being a portion of Parcel “E” segregated by Proclamation No. 983, dated March 9, 1972, situated in the Barangay of Atate, City of Palayan, Province of Nueva Ecija, Island of Luzon. Bounded on the E., along line 1-2 by Provincial Road; on the S., along line 2-3 by Lot 2-A, Bsd-10908; on the W., along lines 3-8 by Pampanga River; and on the N., along lines 8-11-1 by Lot 354, Psd-03-027675. Beginning at a point marked “1” on the plan being N. 60 deg. 16’ E., 16,912.70 m. from BLLM No. 1, Cabanatuan Cadastre. Thence

S. 28 deg. 01’ W.,	1294.82 m. to point 2;
N. 67 deg. 38’ W.,	561.41 m. to point 3;
N. 19 deg. 14’ E.,	114.47 m. to point 4;
N. 06 deg. 18’ W.,	284.38 m. to point 5;
N. 15 deg. 23’ E.,	447.25 m. to point 6;
N. 14 deg. 14’ E.,	148.42 m. to point 7;
N. 16 deg. 34’ W.,	231.69 m. to point 8;
N. 11 deg. 24’ W.,	25.30 m. to point 9;
S. 73 deg. 27’ E.,	374.95 m. to point 10;
S. 75 deg. 24’ E.,	350.00 m. to point 11;
S. 75 deg. 24’ E.,	350.00 m. to point of

beginning, containing an area of NINE HUNDRED SIXTY FIVE THOUSAND FOUR HUNDRED EIGHTY-SIX (965,486) SQUARE METERS, more or less.

PROVIDED, that Parcels 1, 3 and 4 shall be under the sole administration of the City Government of Palayan, and Parcel 2 shall be under the joint administration of the Department of Agrarian Reform and the City Government of Palayan.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the Republic of the Philippines to be affixed.

Done in the City of Manila, this 13th day of February in the year of Our Lord, nineteen hundred and ninety two.

(Sgd.) CORAZON C. AQUINO

By the President:

(Sgd.) FRANKLIN M. DRILON
Executive Secretary

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

PROCLAMATION NO. 900, s. 1996

REVOKING PROCLAMATION NO. 174 DATED AUGUST 3, 1928 WHICH DECLARED A CERTAIN TRACT OF LAND LOCATED IN THE MUNICIPALITY OF SANTIAGO, PROVINCE OF ISABELA (NOW MUNICIPALITY OF DIFFUN, PROVINCE OF QUIRINO), ISLAND OF LUZON, AS A RESERVATION FOR THE EXCLUSIVE USE OF NON-CHRISTIANS AND PROCLAIMING SAME AS A RESETTLEMENT PROJECT FOR DISTRIBUTION BY THE DEPARTMENT OF AGRARIAN REFORM IN COORDINATION WITH THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES AND THE OFFICE FOR NORTHERN CULTURAL COMMUNITIES, TO THE ACTUAL OCCUPANTS UNDER THE COMPREHENSIVE AGRARIAN REFORM PROGRAM (CARP)

WHEREAS, Proclamation No. 174 was issued by then Governor General Henry L. Stimson on August 3, 1928, reserving a certain tract of land (previously within the jurisdiction and geographical confines of Barrios Gayong-gayong and Calimaturog of Santiago, Isabela), for the exclusive use of non-Christians;

WHEREAS, the said tract of land, containing an 203.4395 hectares, is within the political boundaries of Barangay Guribang and Diego Silang, Municipality of Diffun, Province of Quirino, and has been identified to be identical to Lot No. 5728, Cad-211;

WHEREAS, over the years the landless farmers, both non-Christians and Christians entered and settled on the proclaimed land, cultivated the same and built communities therein;

WHEREAS, it is now an established fact that the purpose for which Proclamation No. 174 was issued no longer exists as evidenced

by the existence of Christians in the said area who comprise forty percent (40%) of the present population which include former non-Christians and who have since embraced the Christian faith;

WHEREAS, their intermingling or co-existence for sometime now has not caused trouble or friction between them and in fact, the situation has even resulted in inter-marriages between non-Christians and Christians;

WHEREAS, these actual occupants are now clamoring for the security of ownership over their respective portions of cultivation within the subject area through the issuance of individual titles;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, upon the recommendation of the Secretaries of Environment and Natural Resources and Agrarian Reform and the Executive Director of the Office of the Northern Cultural Communities and by virtue of the powers vested in me by law, do hereby revoke Proclamation No. 174 dated August 3, 1928 which declared a certain parcel of land situated in the Municipality of Santiago, Province of Isabel (now Municipality of Diffun), Province of Quirino, Island of Luzon, under the administration of the then Bureau of Non-Christians Tribes, for the exclusive use of Non-Christians, and declare the land embraced therein as a resettlement project for distribution by the Department of Agrarian Reform, in coordination with the Department of Environment and Natural Resources (DENR) and the Office for Northern Cultural Communities (ONCC) to the actual occupants thereof, under the Comprehensive Agrarian Reform Program (CARP), which parcel of land is more particularly described as follows:

Lot No. 5728, Cad-211

A PARCEL OF LAND, Lot No. 5728, Cad-211, identical Plan IR-275, situated in the Barangays of Diego Silang and Guribang, Municipality of Diffun, Province of Quirino, Island of Luzon. Bounded on the North, by Public Land, property claimed by Arsenio Arela, Public Land, property claimed by Marcelo Espiritu, Public Land

properties claimed by Carlos Laslas and Fernando delos Santos and Public Land; on the East, by Public Land, properties claimed by Pedro Pablo, Pedro Inson, Duma Oditen Creek, and Public Land; on the South by Public Land, Duma Oditen Creek, and Forest Zone; and on the West, by Forest Zone and Public Land. Beginning at a point marked “1” on plan, being N. 36 deg. 33'E., 102.69 m. from P.No. 227 thence:

S. 40° 38' E.,	187.72 m. to point 2;
S. 44° 11' E.,	204.05 m. to point 3;
S. 05° 03' W.,	139.14 m. to point 4;
S. 40° 34' E.,	243.52 m. to point 5;
N. 62° 03' E.,	169.06 m. to point 6;
S. 54° 13' E.,	985.65 m. to point 7;
S. 03° 09' E.,	76.02 m. to point 8;
S. 03° 36' W.,	416.28 m. to point 9;
S. 21° 41' E.,	105.48 m. to point 10;
S. 17° 54' E.,	121.03 m. to point 11;
S. 15° 25' W.,	173.26 m. to point 12;
S. 30° 01' W.,	79.54 m. to point 13;
S. 38° 31' W.,	104.56 m. to point 14;
S. 84° 38' W.,	63.47 m. to point 15;
N. 16° 22' W.,	839.24 m. to point 16;
N. 70° 01' W.,	1782.17 m. to point 17;
N. 39° 19' W.,	947.80 m. to point 18;
N. 44° 34' E.,	506.66 m. to point 19;
S. 53° 31' E.,	279.64 m. to point 20;
N. 88° 29' E.,	159.25 m. to point 21;
S. 61° 37' E.,	410.29 m. to point 22;
S. 86° 24' W.,	212.42 m. to point of

beginning, containing an area of TWO MILLION THIRTY FOUR THOUSAND THREE HUNDRED NINETY-FIVE (2,034,396) SQUARE METERS, more or less.

Bearings True. Declination 0 deg. 20'E., of Points referred to marked on Bureau of Lands plan IR-275. Points 11 to 14, inclusive, are stakes; points 10 to 15, inclusive, on bank of Duma Oditen Creek. All corners of Lot No. 5728 which are not described are B.L. Concrete Monuments 15 x 60m. Surveyed on November 12-13, 1926 and approved on March 26, 1928.

The area covered by this Proclamation is subject to change as a result of the final survey to be conducted by the Department of Agrarian Reform in coordination with the Department of Environment and Natural Resources within thirty (30) days upon approval of this Proclamation.

Priority in the distribution of the area covered by this Proclamation must be given to the non-Christians for whom the original Proclamation was intended.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the Republic of the Philippines to be affixed.

DONE in the City of Manila, this 10th day of October in the year of our Lord, Nineteen Hundred and Ninety-Six.

(Sgd.) FIDEL V. RAMOS

By the President:

(Sgd.) RUBEN D. TORRES
Executive Secretary

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

PROCLAMATION NO. 913, s. 1992

PROCLAIMING THE SECOND WEEK OF JUNE AS “AGRARIAN REFORM WEEK”

WHEREAS, Republic Act No. 6657, otherwise known as the Comprehensive Agrarian Reform Law of 1988, was promulgated on June 10, 1988 and took effect on June 15 of the same year;

WHEREAS, Republic Act No. 6657 has declared the policy of the State to pursue the Comprehensive Agrarian Reform Program (CARP) in order that the welfare of the landless farmers and farmworkers will receive highest consideration and that the nation can move towards sound rural development and industrialization;

WHEREAS, since the inception of the Comprehensive Agrarian Reform Program, lands were distributed and component support services were provided on a wide scale to farmers and farmworkers of a country, thereby improving the quality of life and enhancing the dignity of our rural folks and ushering countryside development;

WHEREAS, to sustain this growth and to realize the full development of our rural communities, it is imperative that we preserve the gains of and institutionalize the annual celebration to highlight and invigorate further this centerpiece program of the government;

NOW, THEREFORE, I, CORAZON C. AQUINO, President of the Philippines, by virtue of the powers vested in me by law, do hereby proclaim the Second Week of the Month of June of this year and every year thereafter as “Agrarian Reform Week.”

The Department of Agrarian Reform is hereby mandated to be the lead agency in the celebration of "Agrarian Reform Week." All other PARC-member agencies are directed to participate and coordinate with the DAR in this regard.

Farmers' conventions, seminars and fora are hereby encouraged. Appropriations for this purpose may be sourced from the Agrarian Reform Funds.

DONE in the City of Manila, this 29th day of May, in the year of Our Lord, nineteen hundred and ninety-two.

(Sgd.) CORAZON C. AQUINO

By the President:

(Sgd.) FRANKLIN M. DRILON
Executive Secretary

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

PROCLAMATION NO. 942, s. 1996

RESERVING FOR THE PURPOSE OF ESTABLISHING A SETTLEMENT AND AGRICULTURAL COMMUNITY UNDER THE AGRARIAN REFORM COMMUNITY PROGRAM OF THE DEPARTMENT OF AGRARIAN REFORM, CERTAIN PARCELS OF LANDS OF THE PUBLIC DOMAIN SITUATED IN THE MUNICIPALITIES OF ARTECHE, JIPAPAD, ORAS AND SAN POLICARPO, ALL OF EASTERN SAMAR

WHEREAS, Section 85, Chapter XII, Title 5 of Commonwealth Act No. 141, approved on 7 November 1936, otherwise known as the “Public Land Act”, authorizes the President to designate by proclamation, any tract or tracts of lands of the public domain for the establishment of agricultural colonies;

WHEREAS, Section 14, Chapter IV, Title I, Book III of the Administrative Code of 1987 provides that “The President shall have the power to reserve for settlement or public use, and for specific public purposes, any of the lands of the public domain, the use of which is not otherwise directed by law. The reserved land shall thereafter remain subject to the specific public purpose indicated until otherwise provided by law”;

WHEREAS, Section 3 [5], Chapter I, Title XI, Book IV of the Administrative Code of 1987 provides that the Department of Agrarian Reform shall “administer and dispose of, under a settlement scheme, all portions of the public domain declared as alienable and disposable lands for speedy distribution to and development by deserving and qualified persons who do not own any land and under such terms and conditions as the Department may prescribe, giving priority to qualified and deserving farmers in the province where such lands are located”;

WHEREAS, it is the declared policy of the State to pursue a vigorous land resettlement program in order to create a truly viable social and economic structure in the country;

WHEREAS, it is the responsibility of the government to provide deserving and qualified Filipinos with lands as well as guidance and technical assistance to make them productive, self-reliant and responsible citizens; and

WHEREAS, there are big agricultural lands in the municipalities of Arteche, Jipapad, Oras and San Policarpo, all of Eastern Samar, found to be suitable for cultivation and conservation into a well-organized and developed resettlement area for qualified and deserving Filipinos and rebel returnees.

NOW, THEREFORE, upon recommendation of the Secretaries of Environment and Natural Resources and Agrarian Reform, by virtue of the power vested in me by law, and pursuant to Section 85, Chapter XII, Title 5 of Commonwealth Act No. 141, otherwise known as the "Public Land Act" and Section 14, Chapter IV, Title I, Book III of the Administrative Code of 1987, I, FIDEL V. RAMOS, President of the Republic of the Philippines, do hereby reserve for the purpose of establishing a settlement and an agricultural community under the administration and disposition of the Department of Agrarian Reform, subject to private rights, if any there be, and to final survey and delineation on the ground, certain parcels of land of the public domain located in the municipalities of Arteche, Jipapad, Oras and San Policarpo, all of the province of Eastern Samar, which parcels of land are more particularly described as follows:

PARCEL I
SK-08-000020 (AR)

A parcel of alienable and disposable land described in the sketch map of SK-08-000020 (AR) located at the Municipality of Oras, Province of Eastern Samar, Island of Samar. Bounded on the SE., along line 1-2 by portion of Project No. 6 Block 1; along line 2-3 by portion of Project 6, Block 1, along line 3 to 16 by Project No.

6, Block B (Timberland); along line 16-17 by Project No. 6, Block 1 (Portion); on the South along line 17-18 by Project No. 6, Block 1 (A & D); on the South and southwest along lines 18-43 by unclassified public forest; along line 43-44 by Project No. 21, Block 1 (A & D) portion, Municipality of Arteche; along lines 44-74 by Project No. 6 Block A (Timberland); along line 74-1 by portion of Project No. 34, Block 1 (A & D) Municipality of San Policarpo. The projects and blocks herein mentioned are of Land Classification Map LC No. 2435.

Beginning at a point marked 1 on the sketch map SK-08-000020 (AR) being approximately S 47 deg. 12'E., 22,528.97 m. from BLLM # 1, Cad. 1149-D, Lapinig Cadastre. Thence:

S. 25° 58' W.,	1,680.00 m. to point 2;
N. 05° 43' W.,	401.88 m. to point 3;
N. 54° 11' E.,	222.10 m. to point 4;
N. 48° 00' W.,	201.80 m. to point 5;
N. 09° 39' W.,	238.40 m. to point 6;
N. 08° 08' E.,	212.16 m. to point 7;
N. 41° 12' W.,	106.36 m. to point 8;
N. 13° 46' W.,	205.94 m. to point 9;
N. 28° 15' E.,	171.44 m. to point 10;
S. 09° 51' E.,	467.87 m. to point 11;
S. 176 57' E.,	262.77 m. to point 12;
S. 12° 37' W.,	196.91 m. to point 13;
S. 54° 53' E.,	99.06 m. to point 14;
S. 09° 40' E.,	244.45 m. to point 15;
N. 59° 02' E.,	116.66 m. to point 16;
S. 05° 43' E.,	401.88 m. to point 17;
N. 88° 24' W.,	5,001.94 m. to point 18;
N. 05° 17' W.,	401.73 m. to point 19;

N. 55° 58' W.,	534.50 m. to point 20;
S. 60° 46' W.,	423.96 m. to point 21;
S. 50° 38' W.,	555.28 m. to point 22;
S. 78° 17' W.,	591.13 m. to point 23;
N. 38° 31' W.,	613.44 m. to point 24;
N. 84° 57' W.,	341.41 m. to point 25;
N. 71° 15' W.,	348.39 m. to point 26;
N. 87° 51' W.,	480.33 m. to point 27;
N. 59° 01' W.,	291.41 m. to point 28;
N. 21° 04' W.,	334.28 m. to point 29;
N. 33° 51' E.,	394.98 m. to point 30;
N. 22° 14' W.,	290.57 m. to point 31;
N. 67° 42' W.,	529.61 m. to point 32;
N. 01° 05' W.,	525.11 m. to point 33;
N. 19° 03' E.,	275.10 m. to point 34;
N. 20° 24' W.,	229.42 m. to point 35;
N. 50° 42' W.,	284.25 m. to point 36;
N. 30° 42' W.,	372.16 m. to point 37;
N. 77° 56' W.,	526.60 m. to point 38;
N. 17° 02' W.,	324.24 m. to point 39;
N. 28° 46' E.,	353.40 m. to point 40;
N. 24° 18' W.,	340.16 m. to point 41;
N. 46° 04' W.,	347.83 m. to point 42;
N. 76° 30' W.,	257.08 m. to point 43;
N. 61° 44' E.,	1,203.56 m. to point 44;
S. 33° 41' E.,	72.08 m. to point 45;
S. 57° 16' E.,	166.39 m. to point 46;
S. 71° 34' E.,	189.71 m. to point 47;

N. 88° 01' E.,	290.16 m. to point 48;
N. 51° 22' E.,	255.96 m. to point 49;
N. 49° 24' E.,	276.61 m. to point 50;
N. 63° 26' E.,	268.34 m. to point 51;
N. 31° 25' W.,	210.96 m. to point 52;
N. 23° 12' E.,	228.50 m. to point 53;
S. 86° 31' E.,	329.63 m. to point 54;
N. 89° 28' E.,	111.02 m. to point 55;
S. 55° 15' E.,	194.74 m. to point 56;
S. 26° 34' E.,	380.12 m. to point 57;
S. 31° 06' E.,	268.74 m. to point 58;
S. 09° 59' E.,	294.43 m. to point 59;
S. 41° 38' W.,	240.80 m. to point 60;
S. 19° 40' W.,	148.65 m. to point 61;
S. 71° 34' E.,	442.73 m. to point 62;
N. 70° 42' E.,	211.92 m. to point 63;
S. 62° 29' E.,	541.21 m. to point 64;
N. 49° 11' E.,	290. m. to point 65;
N. 20° 00' E.,	234.03 m. to point 66;
N. 40° 56' E.,	198.52 m. to point 67;
N. 13° 08' E.,	308.07 m. to point 68;
N. 73° 36' W.,	354.38 m. to point 69;
N. 55° 00' W.,	195.30 m. to point 70;
N. 46° 46' W.,	274.49 m. to point 71;
N. 03° 01' E.,	380.65 m. to point 72;
N. 45° 00' E.,	141.45 m. to point 73;
N. 18° 26' E.,	126.52 m. to point 74;
S. 55° 44' E.,	8,632.96 m. to point of

beginning, containing an area of FOUR THOUSAND TWENTY TWO (4,022) has. more or less. All points referred to are indicated on the plan and marked accordingly.

PARCEL II
SK-08-000020 (AR)

A parcel of alienable and disposable land described in the sketch map of SK-08000020 (AR) located at the Municipality of San Policarpo, Province of Eastern Samar, Island of Samar. Bounded on the SW., along line 1-2 by Project No. 6, Block 1 (A & D), LC No. 2435; on the NW., along lines 2-5 by Project No. 34, Block A, Timberland; along line 5-7 by portion of Project No. 21, Block 1 (A & D), LC No. 2435, on the NE., along line 7-8 by portion of Project No. 34, Block 1 (A & D) LC No. 2435, portion of Mun. of San Policarpo; on the SE., along line 8-1 by portion of Project No. 34, Block 1 (A & D), LC-2435, portion of Municipality of San Policarpo.

Beginning at a point marked 1 on the sketch map SK-08-000020 (AR) being approximately S 47 deg. 12'E., 22,528.97 m. from BLLM #1, Cad. 1149-D, Lapinig Cadastre. Thence:

N. 55° 44' W.,	8,632.96 m. to point 2;
N. 63° 26' E.,	267.83 m. to point 3;
N. 52° 13' E.,	310.11 m. to point 4;
N. 45° 29' W.,	245.36 m. to point 5;
N. 83° 51' E.,	1,277.33 m. to point 6;
N. 49° 24' E.,	2,199.20 m. to point 7;
S. 58° 37' E.,	6,548.05 m. to point 8;
S. 25° 58' W.,	3,892.53 m. to point of;

beginning, containing an area of TWO THOUSAND SEVEN HUNDRED FORTY NINE (2,749) has. more or less. All points referred to are indicated on the plan and marked accordingly.

PARCEL III
SK-08-000020 (AR)

A parcel of alienable and disposable land described in the sketch map of SK-08-000020 (AR) located at the Municipality of San Policarpo, Province of Eastern Samar, Island of Samar. Bounded on the SE., & SW., along lines 1-5 by Project No. 34, Block A, Timberland, LC-2435; and on the NW., along lines 5-1 by portion of Project No. 21, Block 1, (A & D), LC-2435, Municipality of Arteche.

Beginning at a point marked 1 on the sketch map SK-08-000020 (AR) being approximately S 43 deg., 39'E., 13,801.09 m. from BLLM #1, Cad. 1149-D, Lapinig Cadastre.

S. 45° 00' W.,	70.65 m. to point 2;
S. 26° 35' W.,	223.56 m. to point 3;
N. 36° 44' W.,	225.88 m. to point 4;
N. 41° 11' W.,	53.20 m. to point 5;
N. 84° 51' E.,	321.41 m. to point of;

beginning, containing an area of THREE (3) has. more or less. All points referred to are indicated on the plan and marked accordingly.

PARCEL IV
SK-08-000020 (AR)

A parcel of alienable and disposable land described in the sketch map of SK-08-000020 (AR) located at the Municipality of Arteche, Province of Eastern Samar, Island of Samar. Bounded on the SW., along lines 1-52 by Project No. 21-A, Forest Land; along lines 52-53 by portion of Project No. 21, Block 1, (A & D); along lines 53-67 by Project No. 21, Block G, Timberland; along line 67-68 by portion of Project No. 21, Block 1 (A & D); and along lines 68-103 by Project No. 21-A, Forest Land; on the NW., along line 103-104 by Project No. 41-A, (A & D) LC-2435, Municipality of Jipapad; along lines 104-106 by portion of Project No. 21, Block 1, (A & D);

along lines 106-114 by Project No. 21, Block A, Timberland; on the NE., along lines 114-129 by Project No. 21, Block B, Timberland, LC-2435; along lines 129-136 by portion of Project No. 21, Block 1 (A & D), LC-2435, portion of Municipality of Arteche; on the SE., along lines 136-141 by Project No. 34, Block 1 (A & D) LC-2435, Municipality of San Policarpo; on the SW., & SE., along lines 141-169 by Project No. 21, Block F (Timberland); along lines 169-170-1 by Project No. 6, Block 1 (A & D) LC-2435, Municipality of Oras. The Projects and Blocks herein mentioned are all of Land Classification Map LC No. 2435.

Beginning at a point marked 1 on the sketch map SK-08-000020 (AR) being approximately on S 16 deg. 10' E., 12,335.13 m. from BLLM #1, Cad. 1149-D, Lapinig Cadastre.

N. 42° 00' E.,	269.07 m. to point 2;
N. 38° 40' E.,	320.15 m. to point 3;
N. 39° 48' W.,	312.38 m. to point 4;
S. 48° 40' W.,	332.95 m. to point 5;
N. 89° 40' W.,	349.99 m. to point 6;
N. 84° 17' E.,	381.91 m. to point 7;
N. 63° 26' W.,	357.76 m. to point 8;
N. 53° 46' W.,	372.19 m. to point 9;
N. 29° 03' W.,	205.92 m. to point 10;
S. 72° 39' W.,	335.23 m. to point 11;
S. 61° 50' W.,	317.66 m. to point 12;
S. 48° 21' W.,	374.70 m. to point 13;
S. 43° 44' W.,	289.30 m. to point 14;
N. 08° 07' E.,	212.15 m. to point 15;
N. 71° 07' E.,	370.13 m. to point 16;
N. 38° 56' E.,	334.24 m. to point 17;
N. 20° 33' W.,	256.33 m. to point 18;

S. 79° 57' W.,	223.41 m. to point 19;
N. 35° 07' W.,	243.33 m. to point 20;
S. 47° 44' E.,	297.29 m. to point 21;
N. 27° 33' W.,	259.44 m. to point 22;
N. 13° 14' W.,	174.66 m. to point 23;
S. 68° 33' W.,	300.81 m. to point 24;
S. 72° 45' W.,	303.82 m. to point 25;
S. 33° 42' E.,	216.33 m. to point 26;
S. 34° 42' W.,	316.21 m. to point 27;
S. 46° 59' W.,	410.35 m. to point 28;
S. 26° 34' E.,	290.68 m. to point 29;
S. 38° 40' W.,	448.19 m. to point 30;
S. 47° 25' E.,	502.50 m. to point 31;
S. 28° 13' W.,	465.28 m. to point 32;
S. 18° 08' W.,	610.31 m. to point 33;
N. 50° 20' W.,	156.32 m. to point 34;
N. 10° 46' W.,	213.89 m. to point 35;
N. 55° 30' W.,	194.13 m. to point 36;
S. 66° 12' W.,	371.60 m. to point 37;
S. 24° 46' W.,	286.33 m. to point 38;
N. 45° 00' W.,	325.27 m. to point 39;
N. 07° 50' W.,	220.08 m. to point 40;
N. 89° 28' W.,	319.99 m. to point 41;
N. 61° 59' W.,	317.18 m. to point 42;
N. 81° 53' E.,	636.22 m. to point 43;
S. 61° 50' E.,	317.66 m. to point 44;
N. 2° 06' E.,	483.04 m. to point 45;
N. 06° 51' E.,	251.83 m. to point 46;

N. 87° 17' W.,	210.20 m. to point 47;
N. 52° 12' W.,	367.02 m. to point 48;
N. 82° 53' W.,	362.80 m. to point 49;
S. 88° 22' W.,	350.12 m. to point 50;
N. 66° 02' W.,	196.95 m. to point 51;
N. 47° 43' W.,	594.58 m. to point 52;
N. 52° 02' E.,	698.96 m. to point 53;
S. 70° 38' E.,	210.96 m. to point 54;
N. 71° 34' E.,	316.27 m. to point 55;
N. 12° 48' E.,	451.24 m. to point 56;
N. 60° 15' E.,	322.47 m. to point 57;
N. 24° 38' W.,	264.03 m. to point 58;
S. 73° 30' W.,	281.62 m. to point 59;
N. 35° 13' W.,	208.11 m. to point 60;
N. 42° 37' W.,	162.81 m. to point 61;
N. 58° 18' W.,	399.63 m. to point 62;
S. 22° 56' W.,	282.29 m. to point 63;
S. 34° 51' E.,	316.79 m. to point 64;
S. 28° 49' W.,	251.05 m. to point 65;
S. 32° 44' E.,	332.86 m. to point 66;
S. 12° 19' W.,	276.38 m. to point 67;
S. 52° 02' W.,	698.93 m. to point 68;
S. 65° 33' W.,	362.48 m. to point 69;
S. 36° 52' W.,	300.04 m. to point 70;
S. 87° 29' W.,	340.41 m. to point 71;
N. 58° 34' W.,	316.42 m. to point 72;
S. 58° 41' W.,	269.26 m. to point 73;
S. 46° 20' W.,	304.11 m. to point 74;

S. 55° 51' W.,	338.41 m. to point 75;
S. 46° 16' W.,	318.26 m. to point 76;
S. 69° 41' W.,	287.94 m. to point 77;
N. 08° 53' W.,	323.90 m. to point 78;
N. 10° 36' W.,	265.40 m. to point 79;
N. 01° 41' E.,	309.14 m. to point 80;
S. 76° 23' W.,	339.54 m. to point 81;
N. 46° 48' W.,	246.90 m. to point 82;
N. 68° 02' E.,	323.51 m. to point 83;
N. 09° 52' E.,	700.38 m. to point 84;
N. 36° 15' W.,	372.03 m. to point 85;
S. 43° 58' W.,	432.09 m. to point 86;
N. 08° 51' W.,	324.89 m. to point 87;
S. 32° 18' W.,	449.73 m. to point 88;
S. 45° 16' W.,	156.24 m. to point 89;
S. 18° 49' W.,	337.99 m. to point 90;
S. 55° 37' W.,	230.19 m. to point 91;
N. 33° 41' W.,	180.28 m. to point 92;
S. 35° 45' W.,	308.02 m. to point 93;
N. 56° 18' W.,	540.83 m. to point 94;
N. 08° 45' W.,	262.94 m. to point 95;
N. 53° 08' W.,	249.97 m. to point 96;
N. 59° 34' W.,	197.31 m. to point 97;
N. 78° 41' W.,	203.94 m. to point 98;
N. 67° 23' W.,	260.00 m. to point 99;
N. 77° 54' W.,	429.52 m. to point 100;
N. 41° 00' W.,	304.80 m. to point 101;
N. 53° 07' W.,	199.99 m. to point 102;

N. 34° 41' W.,	316.23 m. to point 103;
N. 67° 47' E.,	7,431.59 m. to point 104;
N. 77° 56' E.,	3,539.27 m. to point 105;
S. 26° 58' W.,	134.55 m. to point 106;
S. 39° 07' E.,	206.10 m. to point 107;
N. 77° 28' E.,	266.37 m. to point 108;
N. 35° 09' E.,	173.71 m. to point 109;
N. 09° 28' E.,	304.16 m. to point 110;
N. 72° 29' E.,	335.51 m. to point 111;
S. 68° 36' E.,	139.99 m. to point 112;
N. 65° 52' E.,	733.91 m. to point 113;
N. 62° 08' E.,	1,583.55 m. to point 114;
S. 15° 39' W.,	519.22 m. to point 115;
N. 80° 32' E.,	243.29 m. to point 116;
S. 08° 58' E.,	192.33 m. to point 117;
S. 52° 14' W.,	163.22 m. to point 118;
S. 75° 55' E.,	246.39 m. to point 119;
S. 48° 01' E.,	134.49 m. to point 120;
S. 59° 42' E.,	277.90 m. to point 121;
N. 64° 59' E.,	165.56 m. to point 122;
N. 16° 42' E.,	104.42 m. to point 123;
N. 87° 36' E.,	240.23 m. to point 124;
S. 73° 20' E.,	208.80 m. to point 125;
S. 19° 10' E.,	243.65 m. to point 126;
S. 78° 42' W.,	101.96 m. to point 127;
S. 12° 53' E.,	179.50 m. to point 128;
S. 16° 19' W.,	213.58 m. to point 129;
S. 26° 31' E.,	268.31 m. to point 130;

S. 34° 18' E.,	266.27 m. to point 131;
S. 56° 19' E.,	180.28 m. to point 132;
N. 83° 53' E.,	140.82 m. to point 133;
S. 76° 18' E.,	190.46 m. to point 134;
N. 56° 53' E.,	805.73 m. to point 135;
S. 58° 26' E.,	4,718.14 m. to point 136;
S. 50° 59' W.,	2,020.80 m. to point 137;
S. 81° 27' W.,	1,346.03 m. to point 138;
N. 68° 01' W.,	138.99 m. to point 139;
S. 53° 00' W.,	86.44 m. to point 140;
S. 80° 18' W.,	285.14 m. to point 141;
N. 45° 00' W.,	396.07 m. to point 142;
N. 72° 29' W.,	199.22 m. to point 143;
N. 58° 10' W.,	530.85 m. to point 144;
N. 69° 34' W.,	372.41 m. to point 145;
N. 29° 03' W.,	308.91 m. to point 146;
N. 48° 50' W.,	637.80 m. to point 147;
S. 48° 44' E.,	1,197.51 m. to point 148;
N. 69° 40' W.,	287.84 m. to point 149;
N. 29° 03' W.,	308.91 m. to point 150;
N. 36° 46' W.,	349.40 m. to point 151;
N. 58° 06' W.,	189.46 m. to point 152;
N. 21° 47' E.,	107.59 m. to point 153;
S. 68° 11' W.,	161.64 m. to point 154;
N. 15° 57' E.,	218.42 m. to point 155;
N. 84° 48' W.,	331.41 m. to point 156;
S. 15° 32' W.,	373.60 m. to point 157;
N. 62° 42' W.,	348.71 m. to point 158;

S. 16° 19' W.,	605.33 m. to point 159;
S. 05° 48' W.,	197.99 m. to point 160;
S. 08° 03' W.,	214.08 m. to point 161;
S. 33° 52' W.,	179.57 m. to point 162;
S. 25° 28' W.,	255.84 m. to point 163;
S. 29° 13' W.,	389.49 m. to point 164;
S. 27° 34' W.,	259.38 m. to point 165;
DUE SOUTH,	400.00 m. to point 166;
S. 26° 41' E.,	222.82 m. to point 167;
S. 42° 29' E.,	177.67 m. to point 168;
S. 50° 27' E.,	298.33 m. to point 169;
S. 62° 06' W.,	1,154.01 m. to point 170;
N. 65° 38' W.,	120.79 m. to point of;

beginning, containing an area of SEVEN THOUSAND THREE HUNDRED FIFTY (7,350) has. more or less. All points referred to are indicated on the plan and marked accordingly.

PARCEL V
SK-08-000020 (AR)

A parcel of alienable and disposable land described in the sketch map of SK-08-000020 (AR) located at the Municipality of Jipapad, Province of Eastern Samar, Island of Samar. Bounded on the SE., along 1-2 by portion of Project No. 21, Block 1 (A & D), LC-2435, Municipality of Arteche; along lines 2-3-4 by unclassified public forest; on the SW., and NW., along lines 4-17 by Unclassified Public Forest; along lines 17-29 by Oras River; along line 29-30-1 by Unclassified Public Forest.

Beginning at point marked 1 on the sketch map SK-08-000020 (AR) being approximately S 04 deg. 07' W., 6,403.67 m. from BLLM #1, Cad. 1149-D, Lapinig Cadastre.

S. 68° 06' W.,	7,398.82 m. to point 2;
S. 00° 09' W.,	80.18 m. to point 3;
S. 67° 22' W.,	205.80 m. to point 4;
N. 10° 11' W.,	395.51 m. to point 5;
N. 28° 35' E.,	250.80 m. to point 6;
N. 19° 48' W.,	265.55 m. to point 7;
N. 47° 13' W.,	368.01 m. to point 8;
N. 52° 03' E.,	374.06 m. to point 9;
S. 56° 52' E.,	292.57 m. to point 10;
S. 30° 28' E.,	197.14 m. to point 11;
S. 19° 39' E.,	297.48 m. to point 12;
S. 81° 53' E.,	282.88 m. to point 13;
N. 48° 17' E.,	308.14 m. to point 14;
N. 64° 05' E.,	400.28 m. to point 15;
N. 64° 42' E.,	409.30 m. to point 16;
N. 16° 35' E.,	245.29 m. to point 17;
N. 60° 55' E.,	103.00 m. to point 18;
N. 48° 48' E.,	212.56 m. to point 19;
N. 61° 12' E.,	228.36 m. to point 20;
S. 89° 59' E.,	279.78 m. to point 21;
N. 67° 53' E.,	172.74 m. to point 22;
N. 60° 48' E.,	194.89 m. to point 23;
N. 21° 22' E.,	246.92 m. to point 24;
N. 49° 50' E.,	185.94 m. to point 25;
N. 82° 42' E.,	78.62 m. to point 26;
S. 60° 45' E.,	286.51 m. to point 27;
N. 42° 30' E.,	162.74 m. to point 28;
N. 27° 13' W.,	393.55 m. to point 29;

applications. All vested rights inside the reservation shall be respected.

DONE in the City of Manila, this 20th day of December, in the year of our Lord, Nineteen Hundred and Ninety Six.

(Sgd.) FIDEL V. RAMOS

By the President:

(Sgd.) RUBEN D. TORRES
Executive Secretary

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

PROCLAMATION NO. 965, s. 1997

SUPPLEMENTING PROCLAMATION NO. 295, DATED 9 NOVEMBER 1993, ENTITLED “EXCLUDING FROM THE OPERATION OF EXECUTIVE ORDER NO. 63, DATED 25 JUNE 1914 AND PROCLAMATION NO. 391, DATED 13 MARCH 1939, WHICH ESTABLISHED THE MINERAL LAND RESERVATION IN THE PROVINCE OF SURIGAO, ISLAND OF MINDANAO CERTAIN ALIENABLE AND DISPOSABLE PARCELS OF LAND EMBRACED THEREIN, AND DECLARING THE SAME OPEN TO DISPOSITION UNDER THE COMPREHENSIVE AGRARIAN REFORM PROGRAM OF THE DEPARTMENT OF AGRARIAN REFORM AND OTHER PERTINENT LAWS RELATIVE TO TITLING OF LANDS SUITABLE FOR AGRICULTURE”, BY INCLUDING CERTAIN PARCELS OF LAND FURTHER IDENTIFIED AS SUITABLE FOR AGRICULTURE IN THE MUNICIPALITIES OF BASILISA, TUBAJON, LORETO, ISLAND OF DINAGAT AND MUNICIPALITY OF CLAVER, ALL WITHIN THE PROVINCE OF SURIGAO DEL NORTE

WHEREAS, Proclamation No. 295 dated 9 November 1993, segregated and released portions of land within Surigao Mineral Reservation for distribution to qualified beneficiaries under the Comprehensive Agrarian Reform Program of the Department of Agrarian Reform;

WHEREAS, the Secretaries of the Department of Environment and Natural Resources and the Department of Agrarian Reform have entered into a Memorandum of Agreement to conduct geological surveys for the determination of lands classified as alienable and disposable and those suitable for residential and/or agricultural purposes;

WHEREAS, per the findings of the DAR-DENR geological and field survey team, there exist portions of the Surigao Mineral Reservation which have low geological potential for minerals and could be possibly reclassified as agricultural areas which were not included in Presidential Proclamation No. 295;

WHEREAS, the residents of the parcels of lands covered by this amended proclamation are clamoring for the inclusion by the government of said parcels under the agrarian reform program;

WHEREAS, Executive Order No. 448, as amended by Executive Order No. 506 of 1992 provides that “except national parks and other protected areas, all lands or portions of the public domain reserved by virtue of proclamation or law for specific purposes or uses by departments, bureaus and agencies of the government, which are suitable for agriculture and no longer actually, directly and exclusively used or necessary for the purpose for which they have been reserved shall be segregated from the reservations and transferred to the Department of Agrarian Reform for distribution to qualified beneficiaries under the Comprehensive Agrarian Reform Program.”

WHEREAS, Section 7 of R.A. No. 7942, series of 1995, otherwise known as the Philippine Mining Act of 1995 provides that the Secretary shall periodically review existing mineral reservations for the purpose of determining whether their continued existence is consistent with the national interest, and upon his recommendation, the President may, by proclamation, alter or modify the boundaries thereof or revert the same to the public domain without prejudice to prior existing rights.

NOW, THEREFORE, upon the recommendation of the Secretaries of Environment and Natural Resources and Agrarian Reform, and pursuant to the provisions of Section 7 of Republic Act No. 7942, otherwise known as the Philippine Mining Act of 1995, and by virtue of the powers vested in me by law, I, FIDEL V. RAMOS, President of the Republic of the Philippines, do hereby supplement Proclamation No. 295 dated 9 November 1993 so as to

include certain parcels of land suitable for agricultural purposes located in the municipalities of Basilisa, Tubajon, and Loreto, Island of Dinagat and the municipality of Claver, all in the Province of Surigao del Norte, covering an aggregate area of two thousand six hundred forty three (2,643.3278) hectares, more or less, which parcels of land are more particularly described as follows, to wit:

PARCEL 2
BARANGAY CATADMAN, BASILISA,
DINAGAT ISLAND

A parcel of land (Parcel 2) situated in the Barangay of Catadman, Municipality of Basilisa, Dinagat Island, Province of Surigao del Norte.

Bounded on the Northeast, Southwest and Northwest, along lines 70-71-72-73-1 to 70 by Surigao Strait, beginning at point marked "1" on the plan being N. 61° 23W., 6,609.28 m. from SRN-3, Dinagat Island, thence:

S. 86°51' E.,	57.25 m. to point 2;
S. 42°49' E.,	241.50 m. to point 3;
S. 54°26' W.,	46.91 m. to point 4;
S. 01°30' W.,	114.04 m. to point 5;
S. 31°03' W.,	94.83 m. to point 6;
S. 39°36' E.,	85.27 m. to point 7;
S. 67°29' E.,	117.51 m. to point 8;
S. 48°42' E.,	172.01 m. to point 9;
S. 0°28' W.,	84.06 m. to point 10;
S. 24°24' E.,	96.50 m. to point 11;
S. 82°32' E.,	114.46 m. to point 12;
N. 75°22' E.,	116.35 m. to point 13;
S. 54°49' E.,	90.28 m. to point 14;

S. 87°00' E.,	32.35 m. to point 15;
N. 49°08' E.,	93.38 m. to point 16;
S. 80°32' E.,	11.61 m. to point 17;
S. 15°57' E.,	106.75 m. to point 18;
S. 02°08' E.,	48.96 m. to point 19;
N. 72°08' E.,	55.93 m. to point 20;
S. 52°56' E.,	63.20 m. to point 21;
S. 04°17' W.,	131.56 m. to point 22;
N. 61°23' E.,	29.04 m. to point 23;
S. 40°27' E.,	39.82 m. to point 24;
S. 22°02' E.,	153.83 m. to point 25;
S. 00°49' E.,	183.87 m. to point 26;
S. 80°27' E.,	113.22 m. to point 27;
N. 70°08' E.,	145.65 m. to point 28;
S. 40°05' E.,	84.74 m. to point 29;
N. 60°28' E.,	68.91 m. to point 30;
S. 87°41' E.,	103.70 m. to point 31;
N. 60°47' E.,	83.54 m. to point 32;
N. 68°52' E.,	97.35 m. to point 33;
N. 89°02' E.,	69.23 m. to point 34;
S. 10°05' W.,	124.11 m. to point 35;
S. 26°01' E.,	100.83 m. to point 36;
S. 04°33' W.,	99.72 m. to point 37;
S. 43°23' E.,	60.05 m. to point 38;
N. 85°58' E.,	93.31 m. to point 39;
S. 47°29' E.,	82.52 m. to point 40;
S. 20°51' W.,	93.48 m. to point 41;
S. 16°26' E.,	138.70 m. to point 42;

S. 34°52' E.,	155.73 m. to point 43;
S. 52°03' W.,	155.12 m. to point 44;
N. 75°40' W.,	332.65 m. to point 45;
N. 42°28' W.,	61.11 m. to point 46;
N. 14°54' E.,	39.27 m. to point 47;
N. 45°36' E.,	77.37 m. to point 48;
N. 15°15' W.,	134.70 m. to point 49;
N. 51°30' W.,	359.29 m. to point 50;
N. 65°05' W.,	276.75 m. to point 51;
N. 80°29' W.,	107.12 m. to point 52;
S. 63°27' W.,	124.71 m. to point 53;
N. 81°55' W.,	144.74 m. to point 54;
S. 39°15' W.,	179.62 m. to point 55;
S. 76°13' W.,	215.08 m. to point 56;
N. 18°51' W.,	84.55 m. to point 57;
N. 40°33' W.,	72.31 m. to point 58;
N. 79°04' W.,	53.15 m. to point 59;
N. 19°04' E.,	78.94 m. to point 60;
N. 37°35' W.,	15.42 m. to point 61;
S. 89°59' W.,	180.53 m. to point 62;
N. 26°30' W.,	450.52 m. to point 63;
N. 56°33' W.,	129.59 m. to point 64;
N. 00°57' E.,	93.54 m. to point 65;
N. 25°54' W.,	93.47 m. to point 66;
N. 06°23' W.,	304.92 m. to point 67;
N. 18°05' W.,	179.72 m. to point 68;
N. 08°52' E.,	240.44 m. to point 69;
N. 31°07' E.,	114.99 m. to point 70;

N. 81°03' E.,	22.00 m. to point 71;
S. 34°27' E.,	45.28 m. to point 72;
S. 50°54' E.,	100.45 m. to point 73;
S. 61°25' E.,	105.85 m. to point of

beginning, containing an area of 151.8011 hectares, more or less.

BARANGAYS COLUMBUS AND CORING
BASILISA, DINAGAT ISLAND

A parcel of land, situated in the Barangays of Columbus and Coring, Municipality of Basilisa, Dinagat Island, Province of Surigao del Norte.

Bounded on the Northeast, along lines 9-10-11-12-13-14-15-16-17 by Mineral Reservation; on the Southeast, Southwest and Northwest, along lines 17 to 46, 1 to 9 by Surigao Strait, beginning at a point marked "1" on the plan being N. 56°01'W., 10,382.76 m. from NAMRIA STA. SRN-3, Municipality of Dinagat, thence:

N. 25°20' W.,	70.73 m. to point 2;
N. 05° 48' E.,	72.96 m. to point 3;
N. 06°35' E.,	255.27 m. to point 4;
N. 01°33' W.,	171.18 m. to point 5;
N. 14°13' E.,	71.69 m. to point 6;
N. 37°53' E.,	115.23 m. to point 7;
N. 75°40' E.,	204.08 m. to point 8;
N. 40°25' E.,	180.54 m. to point 9;
S. 40°57' E.,	88.58 m. to point 10;
S. 55°58' E.,	124.19 m. to point 11;
N. 88°01' E.,	100.05 m. to point 12;
S. 50°39' E.,	188.88 m. to point 13;

S. 32°23' E.,	327.67 m. to point 14;
S. 01°21' W.,	31.36 m. to point 15;
S. 68°00' E.,	84.17 m. to point 16;
S. 39°02' E.,	148.03 m. to point 17;
S. 23°25' W.,	221.06 m. to point 18;
S. 05°55' E.,	145.71 m. to point 19;
S. 79°11' W.,	135.51 m. to point 20;
S. 28°38' W.,	121.20 m. to point 21;
S. 51°02' W.,	25.39 m. to point 22;
S. 50°14' W.,	91.84 m. to point 23;
S. 45°51' W.,	138.25 m. to point 24;
S. 68°02' W.,	68.66 m. to point 25;
S. 47°44' W.,	168.96 m. to point 26;
S. 49°35' W.,	207.66 m. to point 27;
S. 60°53' W.,	160.69 m. to point 28;
S. 16°11' W.,	101.74 m. to point 29;
S. 25°21' W.,	40.46 m. to point 30;
N. 64°47' W.,	68.60 m. to point 31;
N. 12°21' E.,	241.50 m. to point 32;
N. 03°05' W.,	29.07 m. to point 33;
N. 57°44' E.,	162.19 m. to point 34;
S. 73°23' E.,	48.59 m. to point 35;
N. 78°17' E.,	68.48 m. to point 36;
N. 01°09' W.,	284.98 m. to point 37;
N. 17°14' W.,	74.03 m. to point 38;
N. 45°11' W.,	36.73 m. to point 39;
N. 00°40' W.,	83.90 m. to point 40;
N. 22°39' E.,	49.09 m. to point 41;

N. 33°47' W.,	161.67 m. to point 42;
S. 52°30' W.,	131.28 m. to point 43;
S. 74°57' W.,	118.76 m. to point 44;
S. 51°44' W.,	35.88 m. to point 45;
N. 65°56' W.,	39.91 m. to point 46;
N. 02°34' W.,	25.50 m. to point of

beginning, containing an area of 108.3336 hectares, more or less.

BARANGAY RIZAL, EMEE ROXAS BASILISA
DINAGAT ISLAND

A parcel of land situated in the Barangays of Rizal, Emee and Roxas, Municipality of Basilisa, Dinagat Island, Province of Surigao del Norte;

Bounded on the Northeast, Southeast, Southwest and Northwest, along lines 83 to 101, and 1 to 83 by Surigao Strait, beginning at point marked "1" on the plan being N. 61°55'W., 10,343.99 m. from NAMRIA STA. SRN-3, Dinagat Island, thence:

S. 28°32' E.,	125.54 m. to point 2;
S. 16°53' E.,	197.00 m. to point 3;
S. 31°16' E.,	74.52 m. to point 4;
S. 29°21' E.,	16.15 m. to point 5;
S. 23°08' E.,	265.70 m. to point 6;
S. 54°29' E.,	84.94 m. to point 7;
S. 07°32' W.,	247.34 m. to point 8;
S. 04°02' W.,	32.40 m. to point 9;
S. 17°07' W.,	41.12 m. to point 10;
S. 33°13' W.,	71.23 m. to point 11;
S. 74°09' W.,	35.14 m. to point 12;

S. 22°07' W.,	45.66 m. to point 13;
S. 11°32' W.,	38.50 m. to point 14;
S. 14°12' W.,	37.36 m. to point 15;
S. 11°13' E.,	36.70 m. to point 16;
S. 64°55' W.,	95.81 m. to point 17;
S. 33°40' W.,	37.08 m. to point 18;
S. 75°34' W.,	25.20 m. to point 19;
S. 50°09' W.,	47.84 m. to point 20;
S. 76°33' W.,	30.20 m. to point 21;
S. 38°58' W.,	63.47 m. to point 22;
S. 44°07' W.,	64.82 m. to point 23;
S. 84°26' W.,	80.16 m. to point 24;
S. 06°48' W.,	79.05 m. to point 25;
S. 14°07' W.,	990.17 m. to point 26;
N. 23°21' W.,	450.25 m. to point 27;
S. 72°45' W.,	58.00 m. to point 28;
N. 77°40' W.,	221.86 m. to point 29;
N. 41°04' E.,	48.52 m. to point 30;
N. 81°15' E.,	374.11 m. to point 31;
N. 19°37' E.,	147.92 m. to point 32;
N. 22°17' E.,	43.87 m. to point 33;
N. 08°15' E.,	166.25 m. to point 34;
N. 01°41' E.,	111.10 m. to point 35;
N. 21°07' W.,	158.31 m. to point 36;
N. 10°56' W.,	56.23 m. to point 37;
N. 23°26' W.,	161.50 m. to point 38;
N. 30°18' E.,	37.07 m. to point 39;
N. 10°46' W.,	55.52 m. to point 40;

N. 04°34' E.,	74.04 m. to point 41;
N. 14°34' W.,	59.20 m. to point 42;
N. 08°26' W.,	40.87 m. to point 43;
N. 46°06' E.,	68.10 m. to point 44;
N. 43°48' E.,	73.12 m. to point 45;
N. 23°21' E.,	17.96 m. to point 46;
N. 06°26' E.,	118.57 m. to point 47;
N. 41°09' W.,	63.78 m. to point 48;
N. 64°14' W.,	44.41 m. to point 49;
N. 25°01' W.,	41.20 m. to point 50;
N. 41°13' W.,	47.83 m. to point 51;
N. 04°09' E.,	71.76 m. to point 52;
N. 37°30' W.,	75.06 m. to point 53;
N. 77°42' W.,	58.79 m. to point 54;
N. 30°58' W.,	58.65 m. to point 55;
N. 04°02' E.,	46.81 m. to point 56;
N. 09°55' E.,	76.08 m. to point 57;
N. 10°09' W.,	35.90 m. to point 58;
N. 03°17' E.,	20.38 m. to point 59;
N. 25°35' E.,	60.77 m. to point 60;
N. 40°15' E.,	43.40 m. to point 61;
N. 08°59' E.,	31.78 m. to point 62;
N. 33°11' E.,	37.23 m. to point 63;
N. 05°44' E.,	59.56 m. to point 64;
N. 06°12' E.,	50.01 m. to point 65;
N. 35°09' W.,	59.24 m. to point 66;
N. 21°14' W.,	41.43 m. to point 67;
N. 40°44' W.,	57.40 m. to point 68;

N. 38°30' W.,	126.98 m. to point 69;
N. 54°55' W.,	120.70 m. to point 70;
N. 17°25' W.,	135.24 m. to point 71;
N. 50°49' W.,	26.26 m. to point 72;
S. 82°50' W.,	121.72 m. to point 73;
N. 18°06' W.,	151.10 m. to point 74;
N. 48°39' W.,	92.91 m. to point 75;
N. 60°36' W.,	113.27 m. to point 76;
N. 09°39' W.,	102.03 m. to point 77;
N. 10°35' W.,	165.73 m. to point 78;
N. 53°16' W.,	57.44 m. to point 79;
N. 15°27' E.,	154.57 m. to point 80;
N. 64°38' E.,	161.98 m. to point 81;
N. 17°27' E.,	92.20 m. to point 82;
N. 12°29' W.,	35.00 m. to point 83;
N. 79°59' E.,	18.00 m. to point 84;
S. 43°50' E.,	80.27 m. to point 85;
S. 64°25' E.,	82.17 m. to point 86;
S. 78°57' E.,	121.66 m. to point 87;
S. 79°01' E.,	92.65 m. to point 88;
S. 37°08' E.,	89.70 m. to point 89;
S. 25°46' E.,	66.12 m. to point 90;
S. 47°24' E.,	107.16 m. to point 91;
S. 20°18' E.,	241.02 m. to point 92;
S. 25°16' E.,	240.12 m. to point 93;
S. 30°35' E.,	127.94 m. to point 94;
S. 30°13' E.,	75.84 m. to point 95;
S. 04°37' E.,	59.72 m. to point 96;

S. 43°18' E.,	73.83 m. to point 97;
S. 23°44' E.,	119.25 m. to point 98;
S. 35°13' E.,	161.79 m. to point 99;
S. 36°15' E.,	68.92 m. to point 100;
S. 24°00' E.,	44.05 m. to point 101;
S. 35°40' E.,	80.75 m. to point of

beginning; containing an area of 200.8183 hectares, more or less.

PARCEL 1
BARANGAY PUERTO PRINCESA

A parcel of land (Parcel 1) situated in the Barangay of Puerto Princesa, Municipality of Basilisa, Dinagat Island, Province of Surigao del Norte.

Bounded on the North along lines 25 to 37 by mineral area, along lines 37-38 by mangrove area; on the East, along lines 38-39-40-1 by mineral area; on the South and West, along lines 1 to 25 by Surigao Strait, beginning at a point marked "1" on the plan being N. 35°45'W., 19,267.55 m. from NAMRIA STA. SRN-3, Dinagat Island, thence:

N. 70°12' W.,	270.94 m. to point 2;
N. 89°44' W.,	119.20 m. to point 3;
N. 79°20' W.,	258.69 m. to point 4;
S. 72°18' W.,	76.70 m. to point 5;
N. 74°36' W.,	75.41 m. to point 6;
N. 57°01' W.,	50.61 m. to point 7;
N. 45°49' W.,	103.46 m. to point 8;
N. 41°58' W.,	87.89 m. to point 9;
N. 39°19' E.,	43.37 m. to point 10;

N. 06°34' W.,	25.42 m. to point 11;
N. 39°13' W.,	26.60 m. to point 12;
N. 08°42' W.,	52.86 m. to point 13;
N. 30°45' W.,	35.34 m. to point 14;
N. 59°45' W.,	32.39 m. to point 15;
N. 48°39' W.,	34.02 m. to point 16;
N. 02°51' E.,	156.14 m. to point 17;
N. 36°23' W.,	61.00 m. to point 18;
N. 07°59' E.,	134.57 m. to point 19;
N. 35°02' W.,	84.13 m. to point 20;
N. 21°01' E.,	164.80 m. to point 21;
N. 13°47' E.,	248.13 m. to point 22;
N. 03°17' E.,	185.47 m. to point 23;
N. 72°46' W.,	29.59 m. to point 24;
N. 27°15' W.,	101.70 m. to point 25;
S. 56°22' E.,	240.79 m. to point 26;
N. 87°30' E.,	245.57 m. to point 27;
S. 31°22' W.,	522.53 m. to point 28;
S. 18°49' W.,	41.88 m. to point 29;
S. 33°43' E.,	192.30 m. to point 30;
S. 26°58' W.,	320.36 m. to point 31;
S. 56°08' E.,	318.71 m. to point 32;
S. 82°23' E.,	219.61 m. to point 33;
N. 25°39' E.,	758.62 m. to point 34;
N. 21°10' E.,	514.48 m. to point 35;
S. 87°30' W.,	245.57 m. to point 36;
N. 58°45' E.,	287.82 m. to point 37;
S. 61°11' E.,	105.78 m. to point 38;

S. 57°22' E.,	161.36 m. to point 39;
S. 15°19' E.,	1,393.47 m. to point 40;
S. 08°35' W.,	124.36 m. to point of

beginning; containing an area of 99.0729 hectares, more or less.

PARCEL 2
BARANGAY PUERTO PRINCESA
BASILISA, DINAGAT ISLAND

A parcel of land (Parcel 2) situated in the Barangay of Puerto Princesa, Municipality of Basilisa, Dinagat Island, Province of Surigao del Norte;

Bounded on the Northeast and Southeast, along lines 7-8-1-2 by Surigao Strait; on the South, along lines 2-3-4-5 by mangrove area; on the Southwest and West, by mineral area, beginning at point marked "1" on the plan being N. 37°40'W., 18,673.536 m. from SRN-3 of Dinagat Island, thence:

S. 34°58' W.,	95.69 m. to point 2;
S. 78°05' W.,	20.01 m. to point 3;
N. 59°17' W.,	30.16 m. to point 4;
S. 37°14' W.,	49.52 m. to point 5;
N. 45°02' W.,	75.94 m. to point 6;
N. 05°10' W.,	149.06 m. to point 7;
S. 20°48' E.,	53.66 m. to point 8;
S. 75°43' E.,	184.07 m. to point of

beginning; containing an area of 1.7657 hectares, more or less.

PARCEL 3
 BARANGAY PUERTO PRINCESA
 BASILISA, DINAGAT ISLAND

A parcel of land (Parcel 3), situated in the Barangay of Puerto Princesa, Municipality of Basilisa, Dinagat Island, Province of Surigao del Norte.

Bounded on the Northwest and Northeast, along lines 1 to 15 by mangrove area; on the East and Southwest, along lines 15 to 20 by Surigao Strait, along lines 20 to 25 by mangrove area, along lines 25 to 29 by Surigao Strait, along lines 29-1 by mineral area, beginning at point marked "1" on the plan being N. 37°56'W., 19,160.065 m. from SRN-3 of Dinagat Island, thence:

N. 59°29' E.,	78.77 m. to point 2;
N. 00°25' W.,	153.88 m. to point 3;
N. 75°44' E.,	42.11 m. to point 4;
S. 19°58' E.,	43.97 m. to point 5;
S. 02°54' W.,	85.33 m. to point 6;
S. 22°14' W.	82.04 m. to point 7;
S. 05°55' W.,	69.06 m. to point 8;
N. 41°01' E.,	14.99 m. to point 9;
N. 49°36' E.,	39.26 m. to point 10;
N. 81°43' E.,	43.64 m. to point 11;
S. 62°20' E.,	50.78 m. to point 12;
S. 30°48' E.,	43.16 m. to point 13;
N. 69°41' E.,	35.66 m. to point 14;
S. 65°51' E.,	48.92 m. to point 15;
S. 03°55' E.,	66.72 m. to point 16;
S. 18°26' W.,	54.34 m. to point 17;
S. 14°50' E.,	43.75 m. to point 18;

S. 03°49' E.,	13.49 m. to point 19;
N. 83°54' W.,	49.31 m. to point 20;
N. 43°11' W.,	122.29 m. to point 21;
N. 72°31' W.,	26.44 m. to point 22;
S. 89°06' W.,	98.88 m. to point 23;
S. 55°06' W.,	14.19 m. to point 24;
S. 11°46' W.,	19.03 m. to point 25;
N. 48°11' W.,	7.24 m. to point 26;
N. 14°30' E.,	29.78 m. to point 27;
N. 08°39' E.,	95.36 m. to point 28;
N. 79°26' W.,	89.15 m. to point 29;
N. 25°56' W.,	58.29 m. to point of

beginning, containing an area of 6.0019 hectares, more or less.

PARCEL 4

A parcel of land (Parcel 4) situated in the Barangay of Puerto Princesa, Municipality of Basilisa, Dinagat Island, Province of Surigao del Norte.

Bounded on the Northwest and Northeast, along lines 1 to 6 by mangrove area, along lines 6-7-8-9 by mineral area; on the Southwest, along lines 9 to 12, 12-1 by Surigao Strait, beginning at point marked "1" on the plan being N. 38°35'W., 18,588.56 m. from SRN-3, Dinagat Island, thence:

N. 69°37' W.,	146.13 m. to point 2;
S. 28°23' W.,	85.81 m. to point 3;
S. 13°35' E.,	67.92 m. to point 4;
S. 31°50' E.,	32.49 m. to point 5;
S. 86°30' E.,	27.15 m. to point 6;

S. 57°44' E.,	10.77 m. to point 7;
S. 64°18' W.,	32.60 m. to point 8;
S. 52°30' E.,	42.13 m. to point 9;
N. 83°27' W.,	65.70 m. to point 10;
N. 58°38' W.,	81.19 m. to point 11;
N. 35°32' W.,	99.97 m. to point 12;
N. 59°35' W.,	67.77 m. to point of

beginning, containing an area of 2.1161 hectares, more or less.

PARCEL 5
BARANGAY PUERTO PRINCESA
BASILISA, DINAGAT ISLAND

A parcel of land (Parcel 5) situated in the Barangay of Puerto Princesa, Municipality of Basilisa, Dinagat Island, Province of Surigao del Norte.

Bounded on the Northwest, Northeast and Southeast, along lines 3-4-5-1 by mineral area; on the Southwest and Northwest, along lines 1-2-3 by Surigao Strait, beginning at point marked "1" on the plan being N. 35°38' W., 17,234.35 m. from SRN-3 of Dinagat Island, thence:

N. 11°04' W.,	156.61 m. to point 2;
N. 03°50' E.,	58.57 m. to point 3;
N. 63°04' E.,	21.75 m. to point 4;
S. 17°52' E.,	199.30 m. to point 5;
S. 59°18' W.,	63.27 m. to point of

beginning; containing an area of 0.9513 hectares, more or less.

PARCEL 6
 BARANGAY PUERTO PRINCESA
 BASILISA, DINAGAT ISLAND

A parcel of land (Parcel 6) situated in the Barangay of Puerto Princesa, Municipality of Basilisa, Dinagat Island, Province of Surigao del Norte.

Bounded on the North along lines 13-14 by mineral area; on the East along lines 14 to 46 by mangrove area, along lines 46-47-48 by mineral area, along lines 48–53 by Surigao Strait; on the South, along lines 53-54-1 by mineral area; on the West along lines 1 to 13 by Surigao Strait, Hagakhak Island, beginning at point marked “1” on the plan being N. 43°29' W., 17,909.31 m. from SRN-3, Dinagat Island, thence:

N. 50°24' W.,	127.36 m. to point 2;
N. 14°32' E.,	87.61 m. to point 3;
N. 17°38' W.,	71.34 m. to point 4;
N. 39°15' W.,	188.99 m. to point 5;
N. 18°55' E.,	34.63 m. to point 6;
N. 05°58' E.,	239.36 m. to point 7;
N. 01°02' E.,	152.98 m. to point 8;
N. 05°07' E.,	150.13 m. to point 9;
N. 00°15' E.,	91.44 m. to point 10;
S. 88°22' E.,	54.42 m. to point 11;
N. 40°06' W.,	95.63 m. to point 12;
N. 11°06' E.,	79.37 m. to point 13;
N. 87°01' E.,	82.98 m. to point 14;
S. 43°02' W.,	81.41 m. to point 15;
S. 19°26' E.,	29.76 m. to point 16;
S. 79°36' W.,	73.64 m. to point 17;

S. 05°34' W.,	96.66 m. to point 18;
N. 53°01' W.,	40.04 m. to point 19;
S. 38°19' W.,	18.40 m. to point 20;
S. 13°07' E.,	15.17 m. to point 21;
S. 52°58' W.,	55.43 m. to point 22;
S. 01°31' W.,	56.22 m. to point 23;
S. 57°09' E.,	27.98 m. to point 24;
N. 70°19' E.,	30.91 m. to point 25;
S. 68°03' E.,	16.53 m. to point 26;
S. 18°31' E.,	65.53 m. to point 27;
S. 03°03' E.,	50.14 m. to point 28;
S. 55°50' W.,	51.15 m. to point 29;
S. 24°20' W.,	28.05 m. to point 30;
S. 02°24' W.,	116.29 m. to point 31;
S. 16°44' W.,	42.85 m. to point 32;
S. 06°04' W.,	72.99 m. to point 33;
S. 17°34' W.,	60.32 m. to point 34;
S. 38°41' E.,	18.90 m. to point 35;
S. 55°41' E.,	48.45 m. to point 36;
S. 09°41' W.,	18.01 m. to point 37;
N. 62°13' E.,	35.45 m. to point 38;
N. 41°36' E.,	24.96 m. to point 39;
N. 06°55' E.,	157.01 m. to point 40;
S. 76°40' E.,	102.46 m. to point 41;
S. 27°21' E.,	109.35 m. to point 42;
S. 40°43' E.,	101.94 m. to point 43;
N. 37°00' E.,	158.50 m. to point 44;

N. 01°32' W.,	135.86 m. to point 45;
S. 51°35' E.,	91.96 m. to point 46;
S. 18°20' W.,	61.94 m. to point 47;
S. 33°38' E.,	95.88 m. to point 48;
S. 50°05' W.,	99.48 m. to point 49;
S. 68°51' W.,	56.32 m. to point 50;
S. 37°47' W.,	30.21 m. to point 51;
S. 12°36' W.,	36.36 m. to point 52;
S. 00°32' E.,	94.71 m. to point 53;
S. 53°05' W.,	172.31 m. to point 54;
S. 25°45' W.,	210.51 m. to point of

beginning, containing an area of 23.1093 hectares, more or less.

PARCEL 7
BARANGAY PUERTO PRINCESA
BASILISA, DINAGAT ISLAND

A parcel of land (Parcel 7) situated in the Barangay of Puerto Princesa, Municipality of Basilisa, Dinagat Island, Province of Surigao del Norte;

Bounded on the North, Northeast, Southeast, Southwest and Northwest, along lines 1 to 7 to 1 by Surigao Strait, Hagakhak Island II, beginning at point marked "1" on the plan being N. 44°36'W., 18,810.52 m. from SRN-3, Dinagat Island, thence:

S. 74°25' E.,	55.47 m. to point 2;
S. 35°25' E.,	342.86 m. to point 3;
S. 16°44' W.,	46.34 m. to point 4;
N. 42°49' W.,	306.01 m. to point 5;

N. 89°40' W.,	87.40 m. to point 6;
N.11°02' E.,	95.78 m. to point 7;
N. 62°43' E.,	43.09 m. to point of

beginning, containing an area of 2.8577 hectares, more or less.

PARCEL 7
MUNICIPALITY OF TUBAJON
DINAGAT ISLAND

A parcel of land (Parcel 7) situated in the Municipality of Tubajon, Dinagat Island, Province of Surigao del Norte.

Bounded on the Northwest, along lines 25 to 30 to 1 by shoreline; on the Northeast, Southeast and Southwest, along lines 1 to 25 by mineral reservation, beginning at point marked "1" on the plan being N. 5°36'W., 1,130.11 m. from SRN STA No. 3, thence:

S. 60°34' E.,	612.67 m. to point 2;
S. 58°26' E.,	551.75 m. to point 3;
N. 01°18' W.,	1,048.00 m. to point 4;
S. 67°55' E.,	2,271.06 m. to point 5;
S. 67°27' E.,	1,502.90 m. to point 6;
S. 37°42' E.,	870.59 m. to point 7;
S. 45°80' W.,	488.80 m. to point 8;
S. 00°19' W.,	471.29 m. to point 9;
S. 34°20' E.,	1,311.79 m. to point 10;
S. 25°52' E.,	494.91 m. to point 11;
S. 47°26' W.,	2,384.68 m. to point 12;
S. 50°05' W.,	544.38 m. to point 13;
N. 88°12' W.,	278.92 m. to point 14;
S. 15°53' W.,	352.32 m. to point 15;
S. 35°47' W.,	99.91 m. to point 16;

N. 53°04' W.,	887.19 m. to point 17;
N. 23°07' E.,	2,631.36 m. to point 18;
N. 88°16' W.,	1,569.13 m. to point 19;
N. 67°14' W.,	578.53 m. to point 20;
N. 65°18' W.,	653.97 m. to point 21;
N. 78°31' W.,	266.41 m. to point 22;
N. 33°34' W.,	1,043.97 m. to point 23;
N. 27°08' E.,	316.22 m. to point 24;
N. 14°51' W.,	541.51 m. to point 25;
S. 79°25' E.,	561.86 m. to point 26;
N. 30°13' E.,	133.76 m. to point 27;
S. 60°56' E.,	97.22 m. to point 28;
S. 32°13' E.,	194.50 m. to point 29;
N. 25°50' W.,	900.29 m. to point 30;
N. 50°30' E.,	779.37 m. to point of

beginning; containing an area of 1,935.0672 hectares, more or less.

PARCEL 3
BARANGAYS PUYO ISLAND AND SANTIAGO,
LORETO, DINAGAT ISLAND

A parcel of land (Parcel 3) situated in the Barangay of Puyo Island and Santiago, Municipality of Loreto, Dinagat Island, Province of Surigao del Norte.

Bounded on the Northeast, along lines 11 to 14; on the Southeast, along lines 14 to 24-1-2; on the Southwest, along lines 2 to 10; on the Northwest, along lines 10-11, all by Panamaon Bay, Surigao Strait, beginning at a point marked "1" on the plan being N. 57°03 E., 1,973.76 m. from NAMRIA STA. SRN-4, Municipality of Loreto, thence:

S. 53°52' W.,	34.11 m. to point 2;
N. 68°49' W.,	59.37 m. to point 3;
N. 14°39' W.,	26.52 m. to point 4;
N. 48°26' W.,	169.05 m. to point 5;
N. 54°34' W.,	64.84 m. to point 6;
N. 43°07' W.,	136.22 m. to point 7;
N. 36°49' W.,	151.74 m. to point 8;
N. 61°25' W.,	158.00 m. to point 9;
N. 32°41' W.,	99.37 m. to point 10;
N. 46°56' E.,	956.35 m. to point 11;
S. 17°36' E.,	99.89 m. to point 12;
S. 18°03' E.,	221.67 m. to point 13;
S. 06°48' W.,	112.28 m. to point 14;
S. 72°15' W.,	61.41 m. to point 15;
S. 25°06' W.,	72.29 m. to point 16;
N. 74°08' W.,	41.37 m. to point 17;
S. 83°22' W.,	17.76 m. to point 18;
S. 24°27' W.,	206.99 m. to point 19;
S. 28°33' W.,	59.58 m. to point 20;
S. 02°32' W.,	254.52 m. to point 21;
S. 21°05' W.,	84.11 m. to point 22;
S. 26°39' E.,	97.17 m. to point 23;
S. 47°19' E.,	81.17 m. to point of

beginning, containing an area of 38.1039 hectares, more or less.

BARANGAY LAPINIGAN ISLAND, CLAVER,
SURIGAO DEL NORTE

A parcel of land situated in the Barangay of Lapinigan Island, Municipality of Claver, Province of Surigao del Norte.

Bounded on the Northeast, Southeast, Southwest and Northwest, along lines 9 to 28-1 to 9 by Pacific Ocean and Candos Bay, beginning at point marked “1” on the plan being S. 72°33'E., 7,613 m. from BLLM No. 1, Pls-754, thence:

N. 31°53' W.,	162.88 m. to point 2;
N. 53°54' W.,	198.24 m. to point 3;
N. 66°28' W.,	179.35 m. to point 4;
S. 84°20' W.,	91.27 m. to point 5;
S. 84°06' W.,	54.73 m. to point 6;
S. 89°47' W.,	239.72 m. to point 7;
N. 13°38' W.,	292.78 m. to point 8;
N. 41°32' E.,	163.25 m. to point 9;
N. 07°51' E.,	248.27 m. to point 10;
N. 87°46' E.,	90.23 m. to point 11;
S. 36°51' E.,	22.16 m. to point 12;
S. 77°45' E.,	67.28 m. to point 13;
S. 83°51' E.,	186.07 m. to point 14;
S. 60°33' E.,	298.29 m. to point 15;
S. 70°32' E.,	177.46 m. to point 16;
S. 67°03' E.,	69.78 m. to point 17;
S. 09°00' W.,	98.39 m. to point 18;
S. 25°46' E.,	47.36 m. to point 19;
S. 41°08' E.,	72.55 m. to point 20;
S. 60°32' E.,	226.31 m. to point 21;

S. 05°37' W.,	91.61 m. to point 22;
S. 33°58' W.,	94.89 m. to point 23;
S. 51°36' W.,	171.93 m. to point 24;
N. 87°16' E.,	2.10 m. to point 25;
S. 32°06' W.,	73.75 m. to point 26;
S. 50°31' W.,	118.97 m. to point 27;
S. 67°20' W.,	31.79 m. to point 28;
N. 85°39' W.,	126.54 m. to point of

beginning; containing an area of 73.3288 hectares, more or less.

The technical description and areas covered by this Proclamation may be subject to change as a result of the final survey and delineation on the ground. The Department of Agrarian Reform (DAR) shall provide funds for the conduct of the surveys.

The following areas are excluded from the coverage of this Proclamation:

1. All areas within the proclamation which fall under the classification of timberland, forestland or unclassified public land or those covered by the National Integrated Protected Areas System (NIPAS);
2. All rivers and creeks; and
3. All easement requirements pursuant to the provisions of P.D. No. 705, as amended, otherwise known as the Revised Forestry Code of the Philippines, P.D. No. 1067 otherwise known as the Water Code of the Philippines Republic Act No. 1273 otherwise known as an Act to Amend Section 90 of C.A. 141, known as the Public Land Act and other pertinent laws, rules and regulations.

These areas are hereby reserved for environmental protection purposes.

The Department of Environment and Natural Resources shall retain jurisdiction over the portions covered by public land applications. Vested rights in the areas subject of this Proclamation shall be respected.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the Republic of the Philippines to be affixed.

DONE in the City of Manila, this 12th day of February, in the year of Our Lord, Nineteen Hundred and Ninety-Seven.

(Sgd.) FIDEL V. RAMOS

By the President:

(Sgd.) RUBEN D. TORRES
Executive Secretary

TANGGAPAN NG PANGULO NG PILIPINAS
(OFFICE OF THE PRESIDENT OF THE PHILIPPINES)

PROCLAMATION NO. 983, s. 1972

RESERVING FOR RESETTLEMENT PURPOSES OF THE RESIDENTS OF PANTABANGAN, NUEVA ECIJA, CERTAIN PARCELS OF LAND OF THE PUBLIC DOMAIN SITUATED IN THE MUNICIPALITIES OP BONGABON AND PANTABANGAN, PROVINCE OF NUEVA ECIJA; MARIA AURORA, SUB-PROVINCE OF AURORA; AND DUPAX, PROVINCE OF NUEVA VIZCAYA

WHEREAS, the Pantabangan Dam of the Upper Pampanga River Project will submerge in its reservoir the town of Pantabangan and seven of its barrios and require the resettlement of over 1,600 families;

WHEREAS, it is the obligation of the government to relocate the town of Pantabangan and resettle the residents who will be displaced by the reservoir inundation and make available to them agricultural lands and other sources of livelihood; and

WHEREAS, certain parcels of public land have been found to be available and suitable for development into resettlement sites for the said residents;

NOW, THEREFORE, upon recommendation of the Secretary of Agriculture and Natural Resources and by virtue of the powers vested in me by law, I, FERDINAND E. MARCOS, President of the Philippines, do hereby reserve for the resettlement of the residents of Pantabangan who will be displaced by the reservoir inundation and for purposes related thereto, as stipulated hereunder, certain parcels of land of the public domain, subject to future survey, and under the administration of the National Irrigation Administration as implementing agency of the Upper Pampanga River Project under Republic Act No. 5499; and the Department of Agrarian Reform in accordance with the provisions of Republic Act No. 3844,

as amended, which parcels of land are more particularly described as follows:

PARCEL “A”

“A parcel of land identifiable as Lot ‘B’ Block I of the Bureau of Forestry Land Classification Project No. 36-G, Province of Nueva Ecija, situated in the Municipality of Pantabangan, Province of Nueva Ecija, Island of Luzon, bounded on the West by Lot “A”, Block I, Bureau of Forestry Land Classification Project No. 36-G, Province of Nueva Ecija, and by the reservoir area of the Pantabangan Dam; on the North by the reservoir area of the Pantabangan Dam; and on the East and South by public forest (Project No. 36-F, Block A, province of Nueva Ecija), beginning at a point marked 217/3 on the Plan of Block I, Project No. 36-G, which point is along the Rizal-Pantabangan Road and 540 meters more or less from the concrete monument marked DIA-N,

thence N 53 deg. 00 min. W., 1,040 meters to point 33;
thence N 15 deg. 00 min. W., 75 meters to point 34;
thence N 23 deg. 00 min. W., 160 meters to point 35;
thence N 68 deg. 00 min. W., 215 meters to point 36;
thence S 84 deg. 00 min. W., 200 meters to point 37;
thence N 62 deg. 00 min. W., 204 meters to .point 38;
thence N 24 deg. 00 min. E., 110 meters to point 39;
thence N 48 deg. 00 min. W., 218 meters to point 40;
thence N 48 deg. 00 min. W., 185 meters to point 41;
thence Due East, 100 meters to point 42;
thence N 08 deg. 00 min E., 220 meters to point 43;
thence N 15 deg. 00 min. E., 103 meters to point 44;
thence Due East, 73 meters to point 45;
thence S 63 deg. 00 min. E., 224 meters to point 46;
thence N 45 deg. 00 min. E., 283 meters to point 47;
thence Due North, 220 meters to point 48;
thence Due North, 220 meters to point 49;
thence Due North, 225 meters to point 50;
thence N 56 deg. 00 min. E., 240 meters to point 51;
thence S 63 deg. 00 min. E., 240 meters to point 52 ;

thence S 56 deg. 00 min. E., 250 meters to point 53;
 thence N 13 deg. 00 min. E., 135 meters to point 54;
 thence S 50 deg. 00 min. E., 336 meters to point 55;
 thence S 26 deg. 00 min. W., 114 meters to point 56;
 thence S 35 deg. 00 min. E., 240 meters to point 57;
 thence S 08 deg. 00 min. W., 400 meters to point 58;
 thence S 54 deg. 00 min. E., 265 meters to point 59;
 thence S 19 deg. 00 min. E., 113 meters to point 60;
 thence S 15 deg. 00 min. W., 154 meters to point 61;
 thence S 15 deg. 00 min. W., 150 meters to point 62;
 thence S 57 deg. 00 min. W., 185 meters to point 63;
 thence S 24 deg. 00 min. W., 180 meters to point 64;
 thence S 63 deg. 00 min. E., 160 meters to point 65;
 thence S 78 deg. 00 min. E., 200 meters to point 66;
 thence S 72 deg. 00 min. E., 150 meters to point 67;
 thence N 45 deg. 00 min. B., 215 meters to point 68;
 thence Due East, 100 meters to point 69;
 thence Due South, 200 meters to point 70;
 thence S 26 deg. 00 min. W., 200 meters to point 71;
 thence S 26 deg. 00 min. W., 100 meters to point 72;
 thence S 26 deg. 00 min. W., 150 meters to point 73;
 thence Due East, 250 meters to point 74;
 thence Due East, 250 meters to point 75;
 thence Due East, 200 meters to point 76;
 thence Due East, 200 meters to point 77;
 thence Due East, 200 meters to point 78;
 thence Due East, 200 meters to point 79;
 thence Due East, 200 meters to point 80;
 thence Due South, 200 meters to point 81;
 thence Due East, 200 meters to point 82;
 thence S 82 deg. 00 min. E., 200 meters to, point 83;
 identical to FZ/48, Proj. No. 36-F, Block A; Timberland; thence to
 point 84;
 identical to FZ/49, Proj. No 36-F, Block A; Timberland; thence to
 point 85;
 identical to FZ/50, Proj. No. 36-F, Block A; Timberland; thence to
 point 86;

identical to FZ/51, Proj. No. 36-F, Block. A; Timberland; thence to point 87;
identical to FZ/52, Proj. No. 36-F, Block A; Timberland; thence to point 88;
identical to FZ/53, Proj. No. 36-F, Block A; Timberland; thence to point 89;
identical to FZ/54, Proj. No. 36-F, Block A; Timberland; thence to point 90;
thence S 26 deg. 00 min. E., 276 meters to point 91;
thence S 26 deg. 00 min. E., 206 meters to point 92;
thence S 26 deg. 00 min. E., 200 meters to-point 93;
thence Due East, 258 meters to point 94;
thence Due East, 242 meters to point 95;
thence Due South, 200 meters to point 96;
thence Due South, 200 meters to point 97;
thence S 36 deg. 00 min. W., 236 meters to point 98;
thence S 36 deg. 00 min. W., 264 meters to point 99;
thence S 45 deg. 00 min. E., 281 meters to point 100;
thence S 45 deg. 00 min. E., 250 meters to point 101;
thence S 45 deg. 00 min. E., 250 meters to point 102;
thence S 45 deg. 00 min. E., 10C meters to point 103;
thence S 45 deg. 00 min. E., 250 meters to point 104;
thence S 35 deg. flu min. E., 205 meters to point 105;
thence S 35 deg. 00 min. E., 185 meters to point 106;
thence S 35 deg. 00 min. E., 237 meters to point 107;
thence S 35 deg. 00 min. E., 234 meters to point 108;
thence S 14 deg. 00 min. E., 181 meters to point 109;
thence S 14 deg. 00 min. E., 231 meters to point 110;
thence S 79 deg. 00 min. W., 168 meters to point 111;
thence S 79 deg. 00 min. W., 242 meters to point 112;
thence foll. Tanawan Creek downstream on a general NE and NW direction with a straight distance of 120 meters to point 113;
thence foll. Tanawan Crk. downstream on a general NW and NE direction with a straight distance of 200 meters to point 114;
thence foll. Tanawan Crk. downstream on a general NW and NE direction with a straight distance of 200 meters to point 115;
thence foll. Tanawan Crk. downstream on a general NW and NE direction with a straight distance of 280 meters to point 116;

thence foll. Tanawan Crk. downstream on a general NW and NE direction with a straight distance of 280 meters to point 117;
 thence foll. Tanawan Crk. downstream on a general NW and NE direction with a straight distance of 220 meters to point 118;
 thence foll. Tana wan Crk. downstream on' a general NW and NE direction with a straight distance of 180 meters to point 119;
 thence foll. Tanawan Crk. downstream on a general NE and NW direction with a straight distance of 350 meters to point 120;
 thence N 65 deg. 00 min. W., 240 meters to point 121;
 thence N 65 deg. 00 min. W., 230 meters to point 122;
 thence Due West, 150 meters to point 125;
 thence Due West, 250 meters to point 124;
 thence Due West, 250 meters to point 125;
 thence Due West, 250 meters to point 126;
 thence Due West, 250 meters to point 127;
 thence Due West, 250 meters to point 128;
 thence N 11 deg. 00 min. E., 254 meters to point 129;
 thence N 11 deg. 00 min. E., 256 meters to point 130;
 thence Due West, 200 meters to point 131;
 thence Due West, 200 meters to point 132;
 thence Due North, 100 meters to point 133;
 thence Due West, 300 meters to point 134;
 thence Due South, 200 meters, to point 135;
 thence Due South, 200 meters to point 136;
 thence Due South, 100 meters to point 137;
 thence N 71 deg. 00 min. W., 278 meters to point 138;
 thence N 71 deg. 00 min. W., 250 meters to point 139;
 thence Due South, 270 meters to point 140;
 thence Due West, 200 meters to point 141;
 thence N 45 deg. 00 min. W., 316 meters to point 142;
 thence N 45 deg. 00 min. W., 250 meters to point 143;
 thence S 68 deg. 00 min. W., 100 meters to point 144;
 thence S 68 deg. 00 min. W., 289 meters to point 145;
 thence S 68 deg. 00 min. W., 250 meters to point 146;
 thence N 63 deg. 00 min. W., 223 meters to point 147;
 thence S 18 deg. 00 min. E., 316 meters to point 148;
 thence S 82 deg. 00 min. W., 153 meters to point 149;
 thence S 82 deg. 00 min. W., 250 meters to point 150;

thence Due North, 80 meters to point 151;
thence Due North, 270 meters to point 152;
thence Due West, 200 meters to point 153;
thence Due West, 200 meters to point 154;
thence N 45 deg. 00 min. W., 182 meters to point 155;
thence N 45 deg. 00 min. W., 100 meters to point 156;
thence Due West, 130 meters to point 157;
thence Due West, 150 meters to point 158;
thence Due West, 220 meters to point 159;

thence following the Rizal Pantabangan Road in a more or less northern direction with a straight distance of about 2070 meters to the point of beginning; containing an approximate area of ONE THOUSAND SIX HUNDRED NINETY SIX (1,696) HECTARES” of which shall be allotted two hundred sixty-five (265) hectares on the west side of the Road to Pantabangan for park site purposes, about two hundred (200) hectares for the townsite of Pantabangan, twenty (20) hectares for the National Irrigation Administration and the Department of Agrarian Reform for settlement administration purposes, and ten (10) hectares as Nursery of the Bureau of Forestry;

PARCEL ”B”

“A parcel of land identifiable as Block II of Bureau of Forestry Land Classification Survey No. 36-G, province of Nueva Ecija, situated in the municipality of Pantabangan, province of Nueva Ecija, Island of Luzon, bounded on the West by Cadaclan River, on the North’ by Block II, (alienable or disposable) Project No. 36-F and on the East and South by Forest Land (Project No. 36-F, Block A, province of Nueva Ecija) beginning at a point marked 1 on the plan,

thence foll. Cadaclan River on a general NW and NE direction with a, straight distance of about 240 m., to point 2 identical to Cor. FZ/65, Timberland, Project No. 36-F, Block A, Pantabangan Nueva Ecija;

thence to numerically successive points 3 to 13, identical to Corners FZ/65 to FZ/76, Timberland, Project No. 36-F; Block A, Pantabangan, Nueva Ecija,

thence S 86. deg. 00 min. W., 560 meters, to point 14;
 thence S 66 deg. 00 min. W., 340 meters to point 15;
 thence foll, road on a general SW. and SE., direction with a straight distance of about 600 meters to point 16;
 thence S. 29 deg. 00 mm. E., 340 meters to point 17;
 thence S 40 deg. 00 min. E., 300 meters to point 18;
 thence S 67 deg. 00 min. W., 280 meters to point 19;
 thence Due South, 240 meters to point 20;
 thence foll, creek downstream on a general NW direction with a straight distance of about 200 meters to point 21;
 thence foll, creek downstream on a general NW direction with a straight distance of about 940 meters, to point 22;
 thence foll, creek downstream on a. general NW direction with a straight distance of about 860 meters to point 23;
 thence foll, creek downstream on a general NW direction with a straight distance of about 600 meters to the point of beginning; containing an approximate area of TWO HUNDRED (200) HECTARES”, of which shall be allotted ten (10) hectares more or less as barrio site.

PARCEL “C”

“A parcel of land identified as Project No. 36-1, Bureau of Forestry Land Classification, in the municipality of Maria Aurora, sub-province of Aurora, island of Luzon, bounded on the north by Project No. 5-P municipality of Dupax, province of Nueva Vizcaya; on the east by unclassified public forest; on the south by the Cabatangan River and portion of Project No. 36-H, Timberland, L.C. 2342;; and on the west by the Dicoliat River and Project No. 36, Block I and II, L.C. 1772, beginning at-the point marked “1” on the plan,

thence N 40 deg. 00 min. E., 615 meters to point 2;
 thence N 73 deg. 00 min. E., 340 meters to point 3;

thence N 80 deg. 00 min. E., 325 meters to point 4;
thence S 78 deg. 00 min. E., 520 meters to point 5;
thence N 31 deg. 00 min. E., 520 meters to point 6;

thence foll. Dicanile River in a NW direction with a straight distance of 880 meters to point 7; thence foll. Dicanile River in a NW direction with a straight distance of 420 meters to point 8;

thence S. 88 deg. 00 min. E., 200 meters to point 9;
thence Due East, 210 meters to point 10;
thence N 61 deg. 00 min. E., 220 meters to point 11;
thence S 70 deg. 00 min. E., 250 meters to point 12;
thence N 79 deg. 00 min. E., 210 meters to point 13;
thence N 63 deg. 00 min. E., 250 meters to point 14;
thence N 37 deg. 00 min. E., 420 meters to point 15;
thence foll, creek in a NE direction with a straight distance of 580 meters to point 16;
thence S 85 deg. 00 min. W., 420 meters to point 17;
thence S 81 deg. 00 min. W., 200 meters to point 18;
thence N 62 deg. 00 min. W., 215 meters to point 19;
thence N 64 deg. 00 min. W., 370 meters to point 20;
thence foll, provincial boundary of Nueva Vizcaya and subprovince of Aurora N 40 E 2,540 meters to point 21;
thence S 14 deg. 00 min. W., 120 meters to point 22;
thence S 75 deg. 00 min. E., 170 meters to point 23;
thence S 50 deg. 00 min. E., 220 meters to point 24;
thence foll, Creek in SW direction with a straight distance of about 230 meters to point 25;
thence S 40 deg. 00 min. E., 250 meters to point 26;
thence S 30 deg. 00 min. E., 315 meters to point 27;
thence foll, Creek in SW direction with a straight distance of about 420 meters to point 28;
thence S 25 deg. 00 min. W., 200 meters to point 29;
thence S 11 deg. 00 min. W., 200 meters to point 30;
thence S 11 deg. 00 min. W., 200 meters to point 31;
thence S 11 deg. 00 min. W., 200 meters to point 32;
thence S 64 deg. 00 min. E., 195 meters to point 33;
thence S 64 deg. 00 min. E., 195 meters to point 34;

thence S 64 deg. 00 min. E., 225 meters to point 35;
 thence S 64 deg. 00 min. E., 220 meters to point 36;
 thence S 14 deg. 00 min. E., 250 meters to point 37;
 thence S 14 deg. 00 min. E., 220 meters to point 38;
 thence foll. Diayo Creek upstream right branch with a straight
 distance of 410 meters to point 39;
 thence foll. Diayo Creek upstream with a straight, distance of 130
 meters to point 40;
 thence foll. logging road in a general S and SE direction with a
 straight distance of 380 meters to point 41;
 thence foll. logging road in a general S and SE direction with a
 straight distance of 380 meters to point 42;
 thence foll. Logging road in a general S and SE direction with a
 straight distance of 480 meters to point 43;
 thence foll. Dimutol Creek downstream with a straight distance of
 about 550 meters to point 44;
 thence foll. Dimutol Creek downstream with a straight distance of
 about 445 meters to point 45;
 thence foll. Dimutol Creek downstream with a straight distance of
 about 290 meters to point 46;
 thence foll. Dimutol Creek downstream with a straight distance of
 about 400 meters to point 47;
 thence foll. Dimutol Creek downstream with a straight distance of
 390 meters to point 48;
 thence foll. Dimutol Creek downstream with a straight distance of
 355 meters to point 49;
 thence foll. Dimutol Creek downstream with a straight distance of
 490 meters to point 50;
 thence foll. Dimutol Creek downstream with a straight distance of
 370 meters to point 51;
 thence foll. Dimutol Creek downstream with a straight distance of
 480 meters to point 52;
 thence foll. Dicanile River downstream with a straight distance of
 350 meters to point 53;
 thence foll. Dicanile River downstream with a straight distance of
 420 meters to point 54;
 thence foll. Dicanile River downstream with a straight distance of
 600 meters to point 55;

thence foll. Dicanile River downstream with a straight distance of 640 meters to .point 56;
thence foll. Cabatangan River upstream, W and then S direction with a straight distance of 480 meters to point 57;
thence foll. Cabatangan River upstream in SW direction with a straight distance of 500 meters to point 58;
thence foll. Cabatangan River upstream in SW direction with a straight distance of 5001 meters to point 59;
thence foll. Dilawitan Creek upstream in a general West direction with a straight distance of 440 meters to point 60;
thence foll. Dilawitan Creek upstream general West direction with a straight distance of 190 meters to point 61;
thence foll. Dilawitan Creek upstream in a general West direction with a straight distance of 330 meters to point 62;
thence foll. Dilawitan Creek upstream in a NW direction, with a straight distance of 460 meters to point 63;
thence N 15 deg. 00 min. E., 95 meters to point 64;
thence foll. logging road in a NW direction with a straight distance of about 400 meters to point 65;
thence N 12. deg. 00 min. E., 360 meters to point 66;
thence N 50 deg. 00 min. W., 280 meters to point 67;
thence foll. Buloy Creek upstream with a straight distance of 410 meters to point 68;
thence N 19 deg. 00 min. W., 410 meters to point 69;
thence N 43 deg. 00 min. W., 350 meters to point 70;
thence N 16 deg. 00 min. W., 340 meters to point 71;
thence N 13 deg. 00 min. E., 320 meters to point 72;
thence N 61 deg. 00 min. W., 160 meters to point 73;
thence N 13 deg. 00 min. E., 390 meters to point 74;
thence N 45 deg. 00. min. W., 220 meters to point 75;
thence N 50 deg. 00 min. W., 400 meters to point 76
thence N 43 deg. 00 min. W., 450 meters to point 77;
thence N 17 deg. 00 min. E., 100 meters to the point of beginning; containing an approximate area of TWO THOUSAND SIX HUNDRED FOUR (2,604) HECTARES” of which shall be allotted not more than one hundred fifty (150) hectares as barrio sites.

PARCEL "D"

"A parcel of land identified as Project No. 5-P, Bureau of Forestry Land Classification Survey, in the municipality of Dupax, province of Nueva Vizcaya, island of Luzon, bounded on the North by unclassified public forest; on the east by Project 36-1, Bureau of Forestry Land Classification Survey, municipality of Maria Aurora, sub-province of Aurora; on the south by Project No. 36. Block V; in the municipality of Dupax, province of Nueva Vizcaya; and on the west by unclassified public forest, beginning at a point marked "1" on the plan,

thence N 60 deg. 00 min. W., 140 meters to point 2;
 thence foll. Dicanile River upstream a straight distance of 580 meters to point 3;
 thence Due West, 390 meters to point 4;
 thence S 77 deg. 00 min. W., 445 meters to point 5;
 thence S 5 deg. 00 min. W., 430 meters to point 6;
 thence S 76 deg. 00 min. W., 730 meters to point 7;
 thence S 60 deg. 00 min. W., 405 meters to point 8;
 thence N 78 deg. 00 min. W., 965 meters to point 9;
 thence N 60 deg. 00 min. W., 675 meters to point 10;
 thence S 77 deg. 00 min. E., 190 meters to point 11;
 thence S 77 deg. 00 min. E., 160 meters to point 12;
 .thence S 77 deg. 00 min. E., 160 meters to point 13;
 .thence S 77 deg. 00 min. E., 160 meters to point 14;
 thence S 77 deg. 00 min. E., 160 meters to point 15;
 thence S 77 deg. 00 min. E., 160 meters to point 16;
 thence S 77 deg. 00 min. E., 160 meters to point 17;
 thence N 73 deg. 00 min. E., 195 meters: to point 18;
 thence N 73 deg. 00 min. E., 185 meters to point 19;
 thence N 73 deg. 00 min. E., 200' meters to point 20;
 thence N 46 deg. 00 min. E., 180 meters to point 21;
 thence N 46 deg. 00 min. E', 225 meters to- point 22;
 thence N 46 deg. 00 min. E., 225 meters to point 23;
 thence N 56 deg. 00 min. E., 235 meters to point 24;
 thence N 56 deg. 00 min. E., 230 meters to point 25;
 thence N 3 deg. 00 min. W., 315 meters to point 26;

thence N 31 deg. 00 min. E., 160 meters to point 27;
thence N 31 deg. 00 min. E., 160 meters to point 28;
thence N 31 deg. 00 min. E., 160 meters to point 29;
thence N 49 deg. 00 min. E., 185 meters to point 30;
thence N 49 deg. 00 min. E., 225 meters to point 31.
thence foll. Creek in a NE direction with a straight distance of about 260 meters to point 32;
thence foll. Creek in a NE direction with a straight distance of about 160 meters to point 33;
thence foll. Creek in a NE direction with a straight distance of about 160 meters to point 34;
thence Due East, 260 meters to point 35;
thence S 74 deg. 00 min. E., 210 meters to point 36;
thence S 74 deg. 00 min. E., 195 meters to point 37;
thence S 30 deg. 00 min. E., 200 meters to point 38;
thence Due East, 250 meters to point 39;
thence. Due East, 250 meters to point 40;
thence Due East, 250 meters to point 41;
thence Due East, 200 meters to point 42;
thence Due South, 120 meters to point 43;
thence S 40 deg. 00 min. W., 2,540 meters to point of beginning;
containing an approximate area of FOUR HUNDRED FOUR (404) HECTARES”;

PARCEL “E”

A parcel of land known as the Bongabon Stock Farm Reservation located in Bongabon, Nueva Ecija, established under Proclamation No. 20 dated July 27, 1921, which is hereby revoked, as amended by Proclamation No. 377 dated March 13, 1953, and Proclamation No. 115 dated February 7, 1955, containing an area of 2,102.9117 hectares, more or less, excluding such areas as may be needed for community development or plant experiment station purposes as indicated by the NIA.

PROVIDED, that after the -settlers are transferred to the resettlement sites, Parcels “C” and “D” above shall thereafter be under the sole administration of the Department of Agrarian

Reform; however, Parcels “A”, “B”, and “E” shall remain under the administration of the National Irrigation Administration and the Department of Agrarian Reform over separate specific areas to be defined in a memorandum of agreement between these two agencies.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the Republic of the Philippines to be affixed.

Done in the City of Manila, this 9th day of March, in the year of Our Lord, nineteen hundred and seventy-two.

(Sgd.) FERDINAND E. MARCOS
President of the Philippines

By the President:

(Sgd.) ALEJANDRO MELCHOR
Executive Secretary

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

PROCLAMATION NO. 1108, s. 1997

DECLARING CERTAIN DELINEATED AREAS OF LAND
COVERING THE AREAS OF SAMAL ISLANDS SITUATED
IN THE MUNICIPALITY OF KAPUTIAN, DAVAO DEL
NORTE PROVINCE WITH POTENTIAL TOURISM VALUES
PURSUANT TO PRESIDENTIAL PROCLAMATION NO. 1801

Whereas, the Department of Tourism has identified Samal Islands as a priority area of tourism development under the Philippine Tourism Master Plan;

Whereas, the islands of Malipano-Talikud, Ligid and the eastern side of Samal was declared as tourist zones under Presidential Proclamation No. 1801 dated 10 November 1978;

Whereas, under Presidential Proclamation No. 1801, the Philippine Tourism Authority was tasked to delineate within the tourist zone areas with potential tourism values and coordinate the integrated development of these areas for the optimum use of natural assets and attractions, as well as existing facilities;

Whereas, Republic Act No. 7016 identifies Samal Islands as a potential Special Economic Zone;

Whereas, the identified areas for tourism development are consistent with the Municipality of Kaputian's Comprehensive Development Plan;

Whereas, in harmony with the government's land reform program, the identified areas for tourism development do not include landholdings covered under R.A. 6657 or the Comprehensive Agrarian Reform Program;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Philippines, do hereby set aside and declare certain parcels of land covering Samal Islands situated in the Municipality of Kaputian, Davao del Norte Province as tourist zones.

The technical description of the delineated areas is based on the ground survey totalling to 4,128.6038 hectares of lands.

MALIPANIO ISLET

		Bearings	and	Distances	
TP TO CORNER	LINE 1-2	LINE 2-3	LINE 3-4	LINE 4-5	AREA IN SQ. METERS
S78°48'E	S53°13'E	S48°26' W	S27°08'W	N74°26'W	
691.01	126.76	32.05	248.43	80.11	
	N33°10'E	N39°27'W	N22°34'W	N34°51'W	
	28.24	153.64	146.46	143.46	
	S69°23'E	N85°41'E	S53°53'E	N88°45'E	
	57.48	57.15	21.45	58.95	
	S64°20'E				
	149.60				8.2858 HAS.

BARANGAY SAN REMIGIO

		Bearings	and	Distances	
TP TO CORNER	LINE 1-2	LINE 2-3	LINE 3-4	LINE 4-5	AREA IN SQ. METERS
	N66°02'E	N38°36'E	N31°09'W	N42°17'E	
	330.35	168.68	136.71	136.62	
	N15°22'E	N10°56'E	N31°52'E	N2°03'W	
	139.27	88.70	127.50	382.02	

EXECUTIVE ISSUANCES – PROCLAMATIONS

	N39°10'E	N11°08'W	N18°09'E	N72°48'W	
	20.78	226.72	101.93	147.69	
	N6°33'E	N27°53'E	N29°40'E	N70°15'E	
	280.75	407.01	390.53	207.18	
	S77°01'E	N33°34'E	S62°42'E	S22°02'E	
	302.74	135.62	174.43	367.90	
	S52°00W	S72°31'E	S58°24'E	S30°12'E	
	40.61	133.15	305.29	367.90	
	S64°25'W	S1°15'W	S72°23'W	S45°46'W	
	218.98	460.11	330.49	265.19	
	S19°56'W	S10°23'E	S11°45'W	S88°13'W	
	255.98	122.00	383.03	32.02	
	S19°24'W	S36°04'W	S10°26'W	S3°18'E	
	150.55	113.81	347.76	173.29	
	S54°28'W	S46°33'W	S22°29'E	S5°35'W	
	215.06	130.86	195.74	578.60	
	S19°52'W	S18°13'W	N20°47'W	N20°47'W	
	115.42	315.09	358.50	461.68	
	N20°47'W	N20°47'W	N20°47'W	N20°47'W	
	140.85	363.33	150.46	208.27	
	N20°47'W	N20°47'W			405.0202 HAS.
	98.35	217.99			

BARANGAY PANGUBATAN

		Bearings	and	Distances	
TP TO CORNER	LINE 1-2	LINE 2-3	LINE 3-4	LINE 4-5	AREA IN SQ. METERS

	N1°15'E	N64°25'E	N30°12'W	N58°24'W	
	460.11	218.98	367.90		
	N72°31'W	N52°00'E	N22°02'W	N62°42'W	
	133.15	40.61	226.55	174.43	
	S33°34'W	N77°01'W	S70°15'W	N61°10'W	
	135.62	302.74	270.18	364.01	
	N57°19'W	N7°21'W	N2°02'W	S72°10'E	
	247.00	224.62	208.75	145.68	
	N4°36'W	N65°42'E	N35°58'W	N0°25'E	
	177.53	214.33	39.11	278.80	
	N12°03'W	N5°45'E	N88°29'E	N10°48'E	
	90.84	508.18	327.58	100.00	
	N76°37'E	S61°11'E	S60°56'E	N87°55'E	
	67.39	203.73	151.83	258.93	
	N87°14'E	N88°23'E	S81°57'E	N5°28'W	
	128.62	116.73	86.15	283.27	
	S85°09'E	N31°10'W	N81°16'E	N86°41'E	
	440.62	374.85	580.74	378.95	
	N5°04'W	N67°41'E	S7°48'E	S8°25'E	
	53.97	296.08	161.88	209.17	
	S15°40'E	S11°10'E	S20°09'E	S14°22'E	
	264.21	96.16	104.55	96.08	
	S19°50'E	S0°59'E	S27°03'E	S22°49'E	
	93.95	214.56	290.92	236.14	
	S0°01'E	S28°44'W	S57°33'W	S58°53'W	
	155.89	79.28	288.30	399.39	

	S44°4'W	S32°17'W	S41°22'W	S18°51'W	
	40.38	55.37	31.06	26.49	
	S36°36'W	S18°53'W	S16°48'W	S18°47'W	
	13.85	58.96	45.50	83.20	
	S29°11'W	S27°31'W	S29°50'W	S28°43'W	
	55.77	58.58	60.17	74.44	
	S16°11'E	S81°46'E	S2°19'E	N68°41'W	
	113.06	117.11	125.74	97.74	
	S72°24'W	N82°52'W	S36°43'W	S34°57'W	
	90.90	143.81	149.05	216.17	
	S16°40'W	S19°50'E	S32°46'W	S51°33'W	
	73.95	167.09	144.00	378.04	
	S83°25'W				737.5389 HAS
	225.58				

BARANGAY KANA-AN

		Bearings	and	Distances	
TP TO CORNER	LINE 1-2	LINE 2-3	LINE 3-4	LINE 4-5	AREA IN SQ. METERS
	S67°41'W	S5°04'E	S86°41'W	S81°16'W	
	296.08	53.97	378.95	580.74	
	N33°41'E	N21°48'W	N1°18'W	N83°44'W	
	180.28	484.66	220.06	256.53	
	S16°23'W	N58°50'W	N80°01'W	N14°47'W	
	20.88	251.25	126.92	333.03	
	N30°50'E	N20°10'W	N1°21'E	N7°16'W	
	234.10	86.31	640.18	695.57	

	N13°16'W	N32°51'E	N19°39'W	S65°33'E	
	575.35	285.70	74.33	302.08	
	N88°42'E	N82°51'E	S78°30'E	N28°32'E	
	440.11	297.31	301.04	89.07	
	N24°14'E	S42°08'E	N84°48'E	S6°40'E	
	205.11	141.60	110.45	448.03	
	S15°55'W	S11°19'W	S3°09'E	S24°25'E	
	576.07	326.34	346.52	142.76	
	S5°48'E	S3°16'W	S14°16'E	S30°37'E	542,4475 HAS.
	613.14	315.51	296.14	619.29	

BARANGAY LIBERTAD

		Bearings	and	Distances	
TP TO CORNER	LINE 1-2	LINE 2-3	LINE 3-4	LINE 4-5	AREA IN SQ. METERS
	N20°47'W	N20°47'W	N20°47'W	N20°47'W	
	112.91	186.48	113.43	83.67	
	N20°47'W	N20°47'W	N20°47'W	N20°47'W	
	507.70	60.25	437.04	273.04	
	N20°47'W	N20°47'W	N20°47'W	N20°47'W	
	243.89	234.36	388.37	76.91	
	N20°47'W	N20°47'W	N20°47'W	N20°47'W	
	301.24	284.36	20.94	46.49	
	S88°59'E	N12°55'E	N73°13'E	N17°52'W	
	202.09	226.09	65.80	89.59	
	N80°04'E	N85°32'E	N88°42'E	S32°20'E	
	227.04	222.80	322.05	189.50	

EXECUTIVE ISSUANCES – PROCLAMATIONS

	S74° 58'E	N200 56'W	N75°04'E	N2°51'E	
	90.05	209.85	15.52	306.76	
	S77°31'E	N1°343'E	N86°18'E	S79°31'E	
	254.53	143.09	70.25	205.16	
	S12°03'E	S0°25'W	S35°58'E	S65°42'W	
	90.84	278.80	39.11	214.33	
	S4°36'E	N72°10'W	S2°02'E	S7°21'E	
	177.53	145.68	208.75	224.62	
	S67°19'E	S61°10'E	S29°40'W	N27°53'W	
	247.00	364.01	390.53	407.01	
	S6°33'W	S72°48'E	S18°09'W	S11°08'E	
	280.75	147.69	101.93	226.72	
	S39°10'W	S2°03'E	S31°52'W	S10°56'W	
	20.78	382.02	127.50	88.70	
	S15°22'W	S42°17'W	S31°09'E	S38°36'W	
	139.27	136.62	136.71	168.68	
	S66°02'W				404.5855 HAS.
	330.35				

BARANGAY LINOSUTAN

		Bearings	and	Distances	
TP TO CORNER	LINE 1-2	LINE 2-3	LINE 3-4	LINE 4-5	AREA IN SQ. METERS
	N54°52'E	N14°02'W	N43°22'W	N59°52'E	
	330.15	20.62	99.04	344.58	
	N24°42'W	N7°58'E	N82°00'E	S3°02'W	
	150.79	151.46	481.68	189.26	

LAWS AND EXECUTIVE ISSUANCES ON AGRARIAN REFORM

	N89°36'E	S4°30'E	S39°27'E	S52°55'E	
	288.01	140.43	146.45	210.60	
	S31°08'E	N73°15'E	N78°34'E	S22°02'E	
	280.40	194.25	272.41	90.62	
	S36°52'E	S41°32'E	S34°05'E	N88°48'W	
	110.00	93.51	82.10	288.06	
	S0°57'E	N84°34'E	S12°40'E	N69°22'E	
	243.03	147.67	255.22	90.82	
	S140 46'E	S22°12'W	S40°56'E	S71°34'W	
	188.22	52.92	109.88	31.62	
	S41°59'W	S32°04'W	S3°51'W	S49°47'W	
	161.44	97.94	223.50	127.02	
	S27°46'W	S78°51'W	S16°34'E	S63°48'W	
	42.94	424.00	242.04	353.31	
	S78°26'W	S84°43'W	N4°10'E	N45°50'E	
	259.27	108.46	110.29	97.59	
	N13°54'W	N22°43'W	N22°43'W	N22°43'W	
	226.72	112.13	102.14	102.15	
	N25°40'W	N25°40'W	N32°21'W	N32°21'W	
	100.98	54.86	81.79	75.30	
	N23°21'W	N23°21'W	N29°30'W	N29°30'W	
	85.88	75.00	99.68	54.68	
	N32°48'W	N32°8'W	N30°29'W	N30°29'W	
	45.59	80.39	18.15	25.00	
	N39°29'W	N29°54'W	N39°31'W	N37°12'W	
	88.65	250.44	128.08	205.71	

	N62°49'W				348.5173 HAS.
	209.32				

BARANGAY STA. CRUZ

		Bearings	and	Distances	
TP TO CORNER	LINE 1-2	LINE 2-3	LINE 3-4	LINE 4-5	AREA IN SQ. METERS
	S35°06'E	S81°39'E	S81°02'E	S20°35'E	
	124.76	94.90	175.90	674.55	
	S13°48'E	S27°43'W	S22°28'W	S16°52'W	
	1067.19	480.43	140.69	9.61	
	S21°28'W	S16°08'E	S47°10'W	S35°54'W	
	377.15	417.45	573.82	145.45	
	S42°40'W	S34°37'W	S4°55'W	S32°19'W	
	12.84	525.30	205.93	124.12	
	S23°49'W	S40°42'W	S86°47'W	N68°13'W	
	10.82	26.96	200.37	215.36	
	N69°55'W	N71°09'W	N40°31'E	N40°31'E	
	283.44	1064.59	466.99	146.65	
	N40°31'E	N40°31'E	N40°31'E	N40°31'E	
	116.73	35.87	146.56	136.39	
	S38°05'E	S35°19'E	N52°15'E	N52°16'E	
	378.57	392.30	10.33	702.00	
	N14°52'E	N14°53'E	N50°01'E	N46°35'W	
	10.39	1388.00	10.00	321.63	
	N3°9'E	N17°10'E	N10°48'W	N6°02'E	
	173.23	138.04	110.00	233.33	

	N4°01'W	N5°18'W	N2°20'W	N7°31'W	
	78.65	178.61	104.84	80.47	
	N3°15'E	N8°14'E	N49°12'E	N33°55'E	
	125.20	184.80	105.73	263.86	
	N33°17'E	S76°29'E	S42°24'E	S53°41'E	
	109.37	530.46	780.01	751.00	
	S40°24'E	S34°33'E			663.5632 HAS.
	857.67	906.56			

BARANGAY SAN ISIDRO

		Bearings	and	Distances	
TP TO CORNER	LINE 1-2	LINE 2-3	LINE 3-4	LINE 4-5	AREA IN SQ. METERS
	N20°47'W	N20°47'W	N20°47'W	N20°47'W	
	47.51	104.97	90.31	186.82	
	N20°47'W	N20°47'W	N20°47'W	N57°15'E	
	93.40	101.25	1803.30	168.83	
	S76°59'E	S63°18'E	N80°32'E	N62°17'W	
	156.92	128.08	351.73	48.66	
	N26°52'W	N14°07'E	N66°3'E	N41°37'E	
	235.84	215.33	163.37	219.35	
	N10°58'E	S81°42'E	S4°18'E	S84°34'E	
	360.00	566.76	77.62	252.24	
	S13°56'W	S6°29'E	S62°08'W	S35°49'E	
	474.42	315.94	49.50	137.44	
	N77°54'E	S23°48'E	S58°11'W	S8°19'E	
	14.32	162.46	185.40	399.64	

	S55°18'W	S77°54'W	S38°51'E	S19°33'E	
	15.18	14.32	255.34	105.60	
	S33°40'E	S2°13'W	S73°18'E	S61°13'W	
	235.72	238.03	31.32	218.22	
	S75°32'E	S83°39'E	S2°51'W	S75°04'W	
	173.29	90.55	306.76	15.52	
	S20°56'E	N74°58'W	N32°20'W	S88°42'W	
	209.85	90.05	189.50	322.05	
	S85°32'W	S80°04'W	S17°52'E	S73°13'W	
	222.80	227.04	89.59	65.80	
	S12°55'	N88°59'W			391.4865 HAS.
	226.09	202.09			

BARANGAY DADATAN

		Bearings	and	Distances	
TP TO CORNER	LINE 1-2	LINE 2-3	LINE 3-4	LINE 4-5	AREA IN SQ. METERS
	N19°42'W	N38°05'W	N39°04'W	N43°20'W	
	228.37	141.03	88.87	145.73	
	N33°59'W	N12°16'W	N48°43'W	N39°10'W	
	107.34	94.15	109.12	278.63	
	N6°36'W	N27°40'W	N5°21'E	N55°31'E	
	121.81	140.00	236.03	139.52	
	N53°33'E	N61°29'E	N39°26'E	N19°31'E	
	161.60	52.35	407.81	134.74	

LAWS AND EXECUTIVE ISSUANCES ON AGRARIAN REFORM

	N36°44'E	N51°35'E	N34°31'E	N58°24'E	
	334.40	74.03	77.67	91.99	
	N81°05'E	N62°23'E	N29°06'E	N75°09'E	
	206.49	97.06	224.01	171.73	
	S89°48'E	S61°18'E	S49°16'E	S7°38'W	
	277.00	108.30	1207.47	175.51	
	N51°43'E	S18°29'W	28°23'W	S45°14'E	
	48.41	324.77	98.88	169.00	
	N75°32'E	S47°46'E	S63°15'W	N54°38'W	
	32.02	601.03	133.27	190.07	
	S41°28'W	N57°28'W	N57°04'W	S42°19'W	
	252.21	68.80	169.20	196.08	
	S49°59'E	S5°57'E	S12°41'E	S47°42'E	
	171.06	115.62	164.00	240.68	
	S1°21'W	S78°34'W	S73°15'W	N31°08'W	
	126.03	272.41	194.25	280.40	
	N52°55'W	N39°27'W	N4°30'W	S89°36'W	
	210.60	146.45	40.43	288.01	
	N3°02'E	S82°00'W	S7°58'W	S24°42'E	
	189.26	481.68	151.46	150.79	
	S59°52'W	S43°22'E	S14°02'E	S54°52'W	
	344.58	99.04	20.62	330.15	528.1339 HAS.

BARAN GAY COGON

		Bearings	and	Distances		
TP TO CORNER	LINE 1-2	LINE 2-3	LINE 3-4	LINE 4-5	LINE 4-5	AREA IN SQ. METERS
LOT #259						
	N81°118'E	N68°20'E	S13°17'E	S67°25'W		
	295.45	161.07	458.66	407.02		
	N32°57'W	N7°24'W	N2°48'W			22.1226
	178.79	115.02	72.31			HAS.
LOT #258						
	S1°19'E	S66°57'W	N45°46'W	N68°54'E		
	458.81	263.54	437.11	118.05		
	N7°35'W	N80°46'E				21.7299
	98.78	490.42				HAS.
LOT #256						
	S80°46'W	N23°50'W	N16°28'W	N78°06'W		
	490.42	177.84	251.9	442.58		
	S24°59'E					20.5455
	459.84					HAS.
LOT #255						
	N64°44'W	S23°50'E	S7°38'E	S68°54'W		
	363.91	177.84	98.78	118.05		
	S45°46'E	S81°02'E	N13°17'W	S68°20'W		
	487.11	458.39	458.66	161.07		
	N17°13'E					22.2129
	180.76					HAS.
LOT # 252						

	N7°37'E	N8°18'W	N86°38'E	N78°00'E		
	65.59	92.62	34.47	263.16		
	S17°43'W	S81°18'W				4.8905
	180.76	295.45				HAS.
LOT # 260						
	S28°27'W	S50°17'W	N19°21'W	N11°56'W		
	260.68	322.40	277.16	97.47		
	N80°46'E					10.8836
	490.42					HAS.
LOT # 302						
	N23°10'E	N58°53'E	S24°30'W	N88°50'W	N83°06'W	14.64
	466.86	401.33	267.07	289.68	127.72	HAS.
TOTAL AREA						117.0250 HAS.

The delineated areas shall be part and parcel of the Samal Island Tourism Estate as identified in the Philippine Tourism Master Plan which was adopted through Presidential Proclamation No. 1801.

The delineation of tourism areas provides specific suitable sites for development in order to regulate and manage the utilization of land for the optimum use of the local natural assets and to further enhance local activity.

The Department of Tourism and the Philippine Tourism Authority together with other government agencies shall prioritize the implementation of Tourism Estate Management Plan to ensure that the development of the tourism facilities and utilities are within the delineated areas and shall provide sustainable growth in the locality.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the SEAL of the Republic of the Philippines to be affixed.

DONE in the City of Manila, this 19th day of Oct in the year of Our Lord, Nineteen Hundred and Ninety Seven.

(Sgd.) FIDEL V. RAMOS

By the President:

(Sgd.) RUBEN D. TORRES
Executive Secretary

MALACAÑANG
Manila

BY THE PRESIDENT OF THE PHILIPPINES

PROCLAMATION NO. 1159, s. 2006

DECLARING THE NEW BILIBID PRISON RESERVATION LOCATED IN BARANGAY POBLACION, MUNTINLUPA CITY AS GOVERNMENT AND SOCIALIZED HOUSING SITE WITH MIXED-USE COMPONENT AND PROVIDING FOR THE DISPOSITION THEREOF TO QUALIFIED BENEFICIARIES AND FOR OTHER USEFUL PURPOSES

WHEREAS, Article XIII, Section 9 of the Philippine Constitution provides that the State shall, by law, undertake a continuing program of urban land reform and housing which will make available at affordable cost, decent housing and basic services to underprivileged and homeless citizens in urban cities and resettlement areas;

WHEREAS, it is the policy of the State to pursue asset reform based on social justice and to serve as the springboard for sustainable rural development and industrialization pursuant to Article XII, Section I of the Constitution which affirms that the State shall promote industrialization and full employment based on sound agricultural development and agrarian reform, through industries that make full and efficient use of human and natural resources;

WHEREAS, there is a need to guide and improve the allocation, utilization, management, and development of the country's land resources, and to ensure their optimum use, under the principles of economic growth and efficiency, social equity and justice;

WHEREAS, the government is aware that shelter programs generate multiple economic benefits to the marginalized sectors

of society and result in the pump priming of our economy and the simulation of growth in all sectors;

WHEREAS, the President has laid out a Ten-point Agenda to decongest Metro Manila by forming new cores of government and housing centers in Luzon, Visayas and Mindanao;

WHEREAS, the President has directed the HUDCC to rationalize the land use and prepare a Master Development Plan to optimize the utilization of the remaining areas in the Muntinlupa Penitentiary for housing projects intended for government employees and legitimate occupants;

WHEREAS, such initiatives showcase the government's commitment to implement its poverty reduction strategies, particularly on assets reform that directs the redistribution of physical assets to the poor;

NOW, THEREFORE, I GLORIA MACAPAGAL-ARROYO, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby declare portions of the New Bilibid Prison Reservation embracing an aggregate area of three hundred sixty six hectares and seven thousand square meters (366.7 hectares), more or less, open for disposition and development in conformity with the approved land use plan for the NBP (which is attached hereto as Annex A) and consistent with the development framework, policies, guidelines and strategies to be set forth in the NBP Master Development Plan, subject to the following land allocation:

A total area of SEVEN HUNDRED EIGHTY THOUSAND (780,000) SQUARE METERS for government housing purposes (priority shall be given to the Office of the President, Department of Justice/Bureau of Corrections and DENR qualified employees);

A total of TWO HUNDRED TWENTY THOUSAND (220,000) SQUARE METERS for mixed-income residential purposes (priority shall be given to existing and qualified residents within NBP);

A total of FOUR HUNDRED FORTY THOUSAND (440,000) SQUARE METERS for institutional, public or quasi-public purposes;

A total of ONE MILLION FOUR HUNDRED SEVENTY THOUSAND (1,470,000) SQUARE METERS for mixed-use/commercial/residential purposes;

A total of FIVE HUNDRED SEVENTEEN THOUSAND (517,000) SQUARE METERS for open space/park purposes; and

A total of TWO HUNDRED FORTY THOUSAND (240,000) SQUARE METERS for the implementation of the Daang-Hari-SLEX Road Link Project.

Provided, that in the event that the total land area, upon actual survey, be less than that specified herein, the allocation shall be revised and prorated accordingly based on the above distribution.

The Housing and Urban Development Coordinating Council (HUDCC), the Department of Environment and Natural Resources (DENR), the Office of the President (OP), the Department of Justice (DOJ), the Bureau of Corrections (BUCOR), the City Government of Muntinlupa, the National Housing Authority (NHA), and the Office of Lone Congressional District of Muntinlupa City shall constitute the Inter-Agency Steering Committee that will oversee the preparation and implementation of the Master Development Plan of the NBP site and will issue the necessary implementing rules and regulations consistent with this proclamation and previous presidential directives. The HUDCC shall act as Chairman and DOJ as co-chairman of the Inter-Agency Steering Committee.

The NHA shall be the lead implementing agency or sponsor of all development subprojects within the NBP site. It may, however, enter into suitable and binding agreements with the other government agencies involved for the development of specific portions of the site and/or the implementation of a defined section of the NBP Master Development Plan.

The disposition of land to be made pursuant to this proclamation shall be undertaken through lawful and appropriate modalities including sale, lease, usufruct or other variants, in accordance with all applicable laws.

Usufruct shall be applied to dwelling units in government and socialized housing sites for an initial period of fifty (50) years. The usufructuary right of the beneficiary shall not be transferable to other parties except in cases of hereditary succession or to his/her relative on first degree of consanguinity.

The Inter-Agency Steering Committee and its members are authorized to use available resources, apply fund reflows, and allocate, raise, or arrange the necessary financing to implement the different subprojects contemplated herein, subject to applicable government budget, accounting and auditing laws, rules and regulations.

This proclamation supersedes all other proclamations that have been issued regarding the NBP site, the inconsistent provisions of which are hereby deemed repealed or modified.

IN WITNESS WHEREOF, I have set my hand and caused the seal of the Republic of the Philippines to be affixed hereto.

DONE in the City of Manila, this 8th day of September, in the year of Our Lord, Two Thousand and Six.

(Sgd.) GLORIA MACAPAGAL-ARROYO

By the President:

(Sgd.) EDUARDO R. ERMITA
Executive Secretary

MALACAÑANG
MANILA

PROCLAMATION NO. 1193, s. 1973

DECLARING OCTOBER 21ST AS TENANTS' EMANCIPATION
DAY

WHEREAS, on October 21, 1972, Presidential Decree No. 27 emancipating tenants from the bondage of tenancy was promulgated, extending the coverage of the land reform program to all lands devoted primarily to rice and corn tilled by tenants and setting forth in accelerated motion the implementation of the program;

WHEREAS, the promulgation of the Decree itself was acclaimed as a historic act of Government;

WHEREAS, during the one year period since October 21, 1972, the land reform program was implemented vigorously and at a pace never before achieved;

WHEREAS, the farmers, themselves, through their organizations have expressed satisfaction over the implementation of the land reform program, although, the government believes that much more has to be done, and is endeavoring to upgrade the mechanism for its implementation and to provide funds necessary for it;

WHEREAS, in view of the accelerated implementation of land reform program during the last one year period, farmers have sent in petitions that October 21 of every year be proclaimed as Tenants' Emancipation Day as a manifestation of their satisfaction over the program.

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers in me vested by the Constitution as Commander-in-Chief of the Armed Forces of the Philippines, and pursuant to Proclamation No. 1081, dated

September 21, 1972 and General Order No. 1, dated September 22, 1972, as amended, do hereby declare October 21, 1973 and every year thereafter as Tenants' Emancipation Day.

I further order that the Department of Agrarian Reform shall attend to its appropriate observance every year in cooperation with the tenants or their organizations.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the Republic of the Philippines to be affixed.

Done in the City of Manila, this 19th day of October, in the year of Our Lord, nineteen hundred and seventy-three.

(Sgd.) FERDINAND E. MARCOS
President
Republic of the Philippines

By the President:

(Sgd.) ALEJANDRO MELCHOR
Executive Secretary

MALACAÑANG
Manila

BY THE PRESIDENT OF THE PHILIPPINES

PROCLAMATION NO. 1195, s. 1973

RESERVING FOR SETTLEMENT PURPOSES EXCLUSIVELY FOR MUSLIM EVACUEES AND LANDLESS MUSLIM FAMILIES FROM THE TROUBLED AREAS OF MINDANAO CERTAIN PARCELS OF LAND OF THE PUBLIC DOMAIN SITUATED IN THE MUNICIPALITIES OF LUMBA-A-BAYABAO AND BUBONG, PROVINCE OF LANA DEL SUR, UNDER THE ADMINISTRATION AND DISPOSITION OF THE DEPARTMENT OF AGRARIAN REFORM

WHEREAS, in this period of economic development of our country, it is the primordial duty of the Government to uplift the economic well-being of our people, especially the less fortunate Muslim farmers of Mindanao;

WHEREAS, there are Muslim farmers in some sectors of Mindanao who were forced to abandon their landholdings by reason of the subversive activities of the misguided elements of our society as well as Muslim landless families who have been the victims of land-grabbing by scrupulous individuals, both Muslims and Christians;

WHEREAS, it is the policy and responsibility of the Government to rehabilitate the lives of these unfortunate Muslims by providing them with lands to till, technical guidance and skill, in order to train and develop them as economic leaders and builders of our country; and

WHEREAS, a big tract of fertile agricultural public lands, classified and unclassified, located in the municipality of Lumba-A-Bayabao and Bubong, province of Lanao del Sur, consisting of

6,939 hectares, was found suited for settlement purposes by the Department of Agrarian Reform;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by law, and upon recommendation of the Secretary of Agrarian Reform with the concurrence of the Secretary of Agriculture and Natural Resources, do hereby reserve for settlement purposes as pilot farm project exclusively for the Muslim settlers under the administration and disposition of the Department of Agrarian Reform, subject to private rights, if any there be, and to future classification and survey, certain parcels of land more particularly described as follows:

3,965 hectares in Lumba-A-Bayabao indicated in the attached BFD sketch map, identified as PMD 736 Amd., Annex “A” of draft proclamation;

1,550 hectares indicated in BFD LC Map No. 2777 (Annex “A-1”) identified as Blks. I, II and III of Project 7-C, Bubong; and

1,424 hectares indicated in BFD LC Map No. 2777 (Annex “A-1”) identified as Project 19-A, Maguing; or a total area of

6,939 hectares.

In order to facilitate the development of the area subject of this proclamation, the Bureau of Forest Development is hereby directed to reclassify and release immediately to the Department of Agrarian Reform all such areas not needed for forest conservation and/or other forest purposes. The Department of Agrarian Reform is hereby allowed to cut the available timber in the area for its use in the development of the settlement, subject to forestry rules and regulations governing the matter.

The Secretary of Agrarian Reform is hereby authorized to issue patents to Muslim settlers who have complied with the requirements of the law pursuant to the provisions of Section 51,

sub-paragraph 9 of Republic Act No. 3844, as amended by Republic Act No. 6389, otherwise known as the Code of Agrarian Reforms of the Philippines.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the Republic of the Philippines to be affixed.

Done in the City of Manila, this 22nd day of October, in the year of Our Lord, nineteen hundred and seventy-three.

(Sgd.) FERDINAND E. MARCOS
President
Republic of the Philippines

By the President:

(Sgd.) ALEJANDRO MELCHOR
Executive Secretary

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

PROCLAMATION NO. 1209, s. 1998

RESERVING FOR THE PURPOSE OF ESTABLISHING A SETTLEMENT AND AN AGRICULTURAL COMMUNITY UNDER THE AGRARIAN REFORM COMMUNITY PROGRAM OF THE DEPARTMENT OF AGRARIAN REFORM CERTAIN PARCELS OF LAND SITUATED IN THE MUNICIPALITIES OF CATARMAN, LOPE DE VEGA AND BOBON ALL OF THE PROVINCE OF NORTHERN SAMAR

WHEREAS, Section 85, Chapter XII, Title 5 of Commonwealth Act No. 141, as amended and approved on 7 November 1936, otherwise known as the “Public Land Act”, authorizes the President to designate by proclamation, any tract or tracts of land of public domain for the establishment of agricultural communities;

WHEREAS, Section 14, Chapter IV, Title I, Book III of the Administrative Code of 1987 provides that “the President has the power to reserve for settlement or public use, and for specific purposes, any of the lands of the public domain, the use of which is not otherwise directed by law. The reserved land shall thereafter remain subject to the specific public purpose indicated until otherwise provided by law or proclamation”;

WHEREAS, Section 3 [5], Chapter I, Title XI, Book IV of the Administrative Code of 1987 provides that the Department of Agrarian Reform shall “administer and dispose of, under a settlement scheme, all portions of the public domain declared as alienable and disposable lands for speedy distribution to and development by deserving and qualified persons who do not own any land and under such terms and conditions as the Department may prescribe giving priority to qualified and deserving farmers and occupants/tillers in the province where such lands are located”;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of Philippines, by virtue of the powers vested in me by law, and upon recommendation of the Secretaries of the Department of Environment and Natural Resources and Department of Agrarian Reform, do hereby reserve for the purpose of establishing a settlement and an agricultural community under the administration and disposition of the Department of Agrarian Reform, subject to private rights, if any there be, and subject to actual survey and delineation on the ground, certain parcels of land more particularly described as follows:

PARCEL I

Beginning at point marked "1" on plan being N. 54 deg. 02' W. 10.592.21 m from BLLM # 1. Pls-857-D. Catarman Public Land Subdivision, Catarman, Northern Samar.

thence: N 56 deg. 18 min. E	155.85 m. to point 2;
thence: N 06 deg. 52 min. E	270.82 m. to point 3;
thence: N 24 deg. 35 min. E	241.42 m. to point 4;
thence: N 71 deg. 56 min. E	116.30 m. to point 5;
thence: S 11 deg. 06 min. W	205.09 m. to point 6;
thence: S 77 deg. 23 min. E	56.90 m. to point 7;
thence: N 58 deg. 25 min. E	81.10 m. to point 8;
thence: S 76 deg. 17 min. E	206.52 m. to point 9;
thence: S 39 deg. 06 min. E	59.52 m. to point 10;
thence: N 02 deg. 55 min. E	155.78 m. to point 11;
thence: N 74 deg. 20 min. E	68.14 m. to point 12;
thence: S 87 deg. 57 min. E	25.93 m. to point 13;
thence: N 48 deg. 20 min. E	92.61 m. to point 14;
thence: N 52 deg. 45 min. E	91.04 m. to point 15;
thence: S 68 deg. 18 min. E	103.30 m. to point 16;
thence: S 12 deg. 21 min. W	61.45 m. to point 17;
thence: S 01 deg. 15 min. E	100.21 m. to point 18;
thence: S 83 deg. 24 min. E	88.83 m. to point 19;
thence: N 73 deg. 54 min. E	74.88 m. to point 20;
thence: N 48 deg. 54 min. E	56.88 m. to point 21;
thence: S 27 deg. 05 min. E	89.22 m. to point 22;
thence: S 09 deg. 43 min. E	21.86 m. to point 23;

thence: S 42 deg. 58 min. E	52.44 m. to point 24;
thence: S 17 deg. 23 min. W	96.97 m. to point 25;
thence: S 49 deg. 59 min. E	133.69 m. to point 26;
thence: S 09 deg. 51 min. W	89.25 m. to point 27;
thence: S 83 deg. 49 min. E	114.79 m. to point 28;
thence: N 74 deg. 44 min. E	113.98 m. to point 29;
thence: S 49 deg. 32 min. E	36.45 m. to point 30;
thence: S 03 deg. 56 min. W	49.74 m. to point 31;
thence S 14 deg. 23 min. E	34.61 m. to point 32;
thence: S 85 deg. 08 min. E	46.73 m. to point 33;
thence: S 11 deg. 11 min. E	22.42 m. to point 34;
thence: S 62 deg. 22 min. E	55.52 m. to point 35;
thence: N 87 deg. 50 min. E	52.71 m. to point 36;
thence: N 83 deg. 56 min. E	100.56 m. to point 37;
thence: S 82 deg. 25 mi n. E	72.64 m. to point 38;
thence: N 61 deg. 09 min. E	42.08 m. to point 39;
thence: S 65 deg. 00 min. E	42.14 m. to point 40;
thence: S 82 deg. 27 min. E	55.88 m. to point 41;
thence: S 23 deg. 41 min. W	61.40 m. to point 42;
thence: S 13 deg. 46 min. E	122.13 m. to point 43;
thence: N 63 deg. 34 min. W	62.09 m. to point 44;
thence: N 86 deg. 24 min. W	17.39 m. to point 45;
thence: S 22 deg. 00 min. W	62.15 m. to point 46;
thence: S 73 deg. 01 min. W	43.40 m. to point 47;
thence: S 17 deg. 28 min. E	29.66 m. to point 48;
thence: S 67 deg. 43 min. E	132.83 m. to point 49;
thence: S 83 deg. 23 min. E	53.60 m. to point 50;
thence: S 54 deg. 29 min. E	49.42 m. to point 51;
thence: S 24 deg. 42 min. E	9.09 m. to point 52;
thence: S 32 deg. 4min. W	42.86 m. to point 53;
thence: S 81 deg. 51 min. W	61.86 m. to point 54;
thence: S 14 deg. 44 min. W	30.29 m. to point 55;
thence: S 11 deg. 34 min. E	91.68 m. to point 56;
thence: N 78 deg. 13 min. W	35.47 m. to point 57;
thence: S 09 deg. 47 min. W	15.19 m. to point 58;
thence: S 26 deg. 22 min. E	52.88 m. to point 59;
thence: S 80 deg. 5 min. W	71.96 m. to point 60;
thence: S 08 deg. 45 min. W	52.52 m. to point 61;
thence: S 77 deg. 41 min. E	10.59 m. to point 62;

thence: N 38 deg. 20 min. E	24.12 m. to point 63;
thence: S 80 deg. 24 min. E	28.12 m. to point 64;
thence: S 31 deg. 25 min. E	15.84 m. to point 65;
thence: S 27 deg. 19 min. E	17.52 m. to point 66;
thence: S 10 deg. 54 min. W	67.44 m. to point 67;
thence: S 38 deg. 51 min. E	104.28 m. to point 68;
thence: S 10 deg. 31 min. W	140.46 m. to point 69;
thence: N 88 deg. 40 min. E	32.16 m. to point 70;
thence: N 73 deg. 49 min. E	36.33 m. to point 71;
thence: S 80 deg. 31 min. E	33.47 m. to point 72;
thence: S 44 deg. 57 min. E	159.99 m. to point 73;
thence: N 76 deg. 56 min. E	64.24 m. to point 74;
thence: N 05 deg. 10 min. E	77.76 m. to point 75;
thence: N 21 deg. 26 min. E	132.24 m. to point 76;
thence: N 41 deg. 8 min. E	143.36 m. to point 77;
thence: N 52 deg. 4 min. E	42.30 m. to point 78;
thence: N 02 deg. 21 min. E	94.74 m. to point 79;
thence: N 45 deg. 21 min. E	51.23 m. to point 80;
thence: N 10 deg. 56 min. E	18.55 m. to point 81;
thence: N 23 deg. 34 min. W	4.53 m. to point 82;
thence: N 29 deg. 29 min. E	265.71 m. to point 83;
thence: N 09 deg. 9min. E	82.41 m. to point 84;
thence: N 14 deg. 49 min. E	43.97 m. to point 85;
thence: S 77 deg. 33 min. E	50.35 m. to point 86;
thence: N 69 deg. 33 min. E	40.57 m. to point 87;
thence: S 47 deg. 52 min. E	17.71 m. to point 88;
thence: N 87 deg. 27 min. E	18.04 m. to point 89;
thence: S 84 deg. 38 min. E	22.24 m. to point 90;
thence: N 59 deg. 53 min. E	25.05 m. to point 91;
thence: S 75 deg. 49 min. E	40.11 m. to point 92;
thence: N 67 deg. 27 min. E	68.37 m. to point 93;
thence: N 67 deg. 19 min. E	43.99 m. to point 94;
thence: N 73 deg. 17 min. E	43.61 m. to point 95;
thence: S 76 deg. 18 min. E	34.35 m. to point 96;
thence: N 29 deg. 1 min. E	77.43 m. to point 97;
thence: S 85 deg. 12 min. E	54.84 m. to point 98;
thence: N 45 deg. 22 min. E	33.43 m. to point 99;
thence: S 70 deg. 52 min. E	13.85 m. to point 100;
thence: N 17 deg. 9 min. E	36.18 m. to point 101;

thence: N 19 deg. 20 min. E	15.43 m. to point 102;
thence: S 86 deg. 30 min. E	79.91 m. to point 103;
thence: N 50 deg. 52 min. E	80.76 m. to point 104;
thence: N 73 deg. 41 min. E	57.80 m. to point 105;
thence: S 56 deg. 20 min. E	65.89 m. to point 106;
thence: N 33 deg. 30 min. E	46.88 m. to point 107;
thence: N 75 deg. 59 min. E	17.26 m. to point 108;
thence: S 39 deg. 8 min. E	35.96 m. to point 109;
thence: S 25 deg. 32 min. E	186.79 m. to point 110;
thence: N 86 deg. 48 min. E	90.71 m. to point 111;
thence: N 20 deg. 53 min. E	51.99 m. to point 112;
thence: N 44 deg. 45 min. E	63.2 m. to point 113;
thence: N 59 deg. 52 min. E	91.45 m. to point 114;
thence: N 66 deg. 46 min. E	66.13 m. to point 115;
thence: S 48 deg. 25 min. E	38.58 m. to point 116;
thence: S 17 deg. 27 min. E	386.23 m. to point 117;
thence: S 52 deg. 36 min. W	44.03 m. to point 118;
thence: S 26 deg. 36 min. W	27.13 m. to point 119;
thence: S 44 deg. 38 min. W	29.75 m. to point 120;
thence: S 45 deg. 54 min. E	233.15 m. to point 121;
thence: S 49 deg. 29 min. E	83.72 m. to point 122;
thence: S 63 deg. 14 min. W	83.79 m. to point 123;
thence: N 52 deg. 44 min. W	33.61 m. to point 124;
thence: S 69 deg. 59 min. W	78.08 m. to point 125;
thence: N 81 deg. 46 min. W	168.03 m. to point 126;
thence: N 45 deg. 6 min. W	64.38 m. to point 127;
thence: S 42 deg. 46 min. W	43.39 m. to point 128;
thence: S 15 deg. 27 min. W	109.65 m. to point 129;
thence: S 70 deg. 31 min. W	38.67 m. to point 130;
thence: S 73 deg. 43 min. W	48.95 m. to point 131;
thence: S 76 deg. 31 min. W	41.29 m. to point 132;
thence: N 53 deg. 50 min. W	14.41 m. to point 133;
thence: S 88 deg. 5 min. W	64.51 m. to point 134;
thence: S 75 deg. 56 min. W	57.09 m. to point 135;
thence: S 41 deg. 42 min. W	32.67 m. to point 136;
thence: S 80 deg. 57 min. W	19.77 m. to point 137;
thence: N 58 deg. 55 min. W	30.30 m. to point 138;
thence: N 59 deg. 51 min. W	47.51 m. to point 139;
thence: N 68 deg. 14 min. W	75.82 m. to point 140;

thence: S 85 deg. 57.0 min. W 37.42 m. to point 141;
 thence: S 4 deg. 20 min. W 120.02 m. to point 142;
 thence: S 25 deg. 17 min. E 126.38 m. to point 143;
 thence: S 81 deg. 14 min. W 41.11 m. to point 144;
 thence: S 2 deg. 12 min. W 96.86 m. to point 145;
 thence: S 11 deg. 27 min. E 84.20 m. to point 146;
 thence: N 68 deg. 58 min. E 65.95 m. to point 147;
 thence: N 49 deg. 59 min. E 39.51 m. to point 148;
 thence: S 56 deg. 50 min. E 37.86 m. to point 149;
 thence: S 15 deg. 55 min. E 10.43 m. to point 150;
 thence: S 9 deg. 30 min. W 45.41 m. to point 151;
 thence: N 65 deg. 18 min. E 40.44 m. to point 152;
 thence: S 25 deg. 6 min. W 41.15 m. to point 153;
 thence: N 80 deg. 51 min. E 37.48 m. to point 154;
 thence: S 10 deg. 51 min. W 17.70 m. to point 155;
 thence: S 57 deg. 7 min. E 19.95 m. to point 156;
 thence: N 53 deg. 44 min. E 56.7 m. to point 157;
 thence: S 53 deg. 45 min. E 13.56 m. to point 158;
 thence: N 46 deg. 36 min. E 20.81 m. to point 159;
 thence: S 67 deg. 58 min. E 149.63 m. to point 160;
 thence: N 36 deg. 44 min. E 146.18 m. to point 161;
 thence: N 62 deg. 23 min. E 54.73 m. to point 162;
 thence: N 36 deg. 38 min. E 98.57 m. to point 163;
 thence: N 15 deg. 36 min. W 52.06 m. to point 164;
 thence: N 18 deg. 40 min. W 72.17 m. to point 165;
 thence: S 77 deg. 6 min. E 326.36 m. to point 166;
 thence: N 46 deg. 2 min. E 95.88 m. to point 167;
 thence: N 88 deg. 24 min. E 45.13 m. to point 168;
 thence: N 23 deg. 57 min. E 32.69 m. to point 169;
 thence: N 24 deg. 46 min. E 18.83 m. to point 170;
 thence: N 84 deg. 2 min. E 21.29 m. to point 171;
 thence: S 28 deg. 24 min. E 30.51 m. to point 172;
 thence: N 78 deg. 34 min. E 17.42 m. to point 173;
 thence: N 25 deg. 55 min. W 18.60 m. to point 174;
 thence: N 41 deg. 51 min. E 93.03 m. to point 175;
 thence: S 16 deg. 59 min. E 56.01 m. to point 176;
 thence: N 23 deg. 4 min. E 82.17 m. to point 177;
 thence: N 9 deg. 6 min. E 45.23 m. to point 178;
 thence: N 65 deg. 13 min. E 42.96 m. to point 179;

thence: S 68 deg. 27 min. E 31.78 m. to point 180;
thence: N 44 deg. 38 min. E 8.77 m. to point 181;
thence: N 24 deg. 56 min. W 25.29 m. to point 182;
thence: N 52 deg. 45 min. E 58.63 m. to point 183;
thence: S 57 deg. 56 min. E 35.04 m. to point 184;
thence: S 4 deg. 33 min. E 37.24 m. to point 185;
thence: N 52 deg. 59 min. E 38.46 m. to point 186;
thence: S 75 deg. 46 min. E 40.64 m. to point 187;
thence: S 2 deg. 41 min. W 18.73 m. to point 188;
thence: S 9 deg. 21 min. W 36.37 m. to point 189;
thence: S 40 deg. 12 min. E 45.90 m. to point 190;
thence: S 84 deg. 4 min. E 272.95 m. to point 191;
thence: S 41 deg. 59 min. E 166.99 m. to point 192;
thence: S 10 deg. 49 min. E 33.87 m. to point 193;
thence: S 69 deg. 34 min. E 32.11 m. to point 194;
thence: S 5 deg. 9 min. E 8.79 m. to point 195;
thence: S 72 deg. 18 min. E 19.97 m. to point 196;
thence: N 12 deg. 26 min. E 38.63 m. to point 197;
thence: N 81 deg. 31 min. E 143.66 m. to point 198;
thence: N 50 deg. 3 min. E 74.28 m. to point 199;
thence: N 66 deg. 16 min. E 43.89 m. to point 200;
thence: S 85 deg. 4 min. E 29.54 m. to point 201;
thence: N 38 deg. 46 min. E 13.42 m. to point 202;
thence: S 58 deg. 6 min. E 16.43 m. to point 203;
thence: N 68 deg. 19 min. E 17.92 m. to point 204;
thence: N 20 deg. 41 min. W 37.37 m. to point 205;
thence: N 53 deg. 57 min. E 23.74 m. to point 206;
thence: S 64 deg. 18 min. E 16.05 m. to point 207;
thence: N 7 deg. 26 min. W 32.48 m. to point 208;
thence: N 26 deg. 0 min. W 13.03 m. to point 209;
thence: N 32 deg. 53 min. E 25.73 m. to point 210;
thence: S 60 deg. 8 min. E 23.44 m. to point 211;
thence: N 35 deg. 44 min. E 23.2 m. to point 212;
thence: N 45 deg. 23 min. E 19.79 m. to point 213;
thence: S 50 deg. 37 min. E 112.58 m. to point 214;
thence: S 36 deg. 8 min. E 40.92 m. to point 215;
thence: S 45 deg. 21 min. E 362.21 m. to point 216;
thence: S 52 deg. 7 min. E 43.11 m. to point 217;
thence: S 39 deg. 49 min. E 61.62 m. to point 218;

thence: N 80 deg. 36 min. E	55.37 m. to point 219;
thence: S 76 deg. 32 min. E	10.87 m. to point 220;
thence: S 36 deg. 7 min. E	66.04 m. to point 221;
thence: S 22 deg. 51 min. E	76.58 m. to point 222;
thence: S 4 deg. 14 min. W	80.61 m. to point 223;
thence: S 22 deg. 40 min. W	35.04 m. to point 224;
thence: S 27 deg. 4 min. E	51.32 m. to point 225;
thence: S 1 deg. 24 min. E	29.01 m. to point 226;
thence: S 59 deg. 20 min. W	111.96 m. to point 227;
thence: S 16 deg. 24 min. W	86.88 m. to point 228;
thence: S 83 deg. 20 min. E	51.26 m. to point 229;
thence: S 25 deg. 9 min. W	151.84 m. to point 230;
thence: S 23 deg. 31 min. W	45.40 m. to point 231;
thence: S 25 deg. 43 min. E	67.40 m. to point 232;
thence: S 62 deg. 4 min. E	74.69 m. to point 233;
thence: S 51 deg. 27 min. W	76.05 m. to point 234;
thence: S 5 deg. 16 min. E	103.84 m. to point 235;
thence: S 59 deg. 34 min. E	51.83 m. to point 236;
thence: S 9 deg. 21 min. W	119.10 m. to point 237;
thence: N 27 deg. 9 min. W	41.92 m. to point 238;
thence: S 24 deg. 14 min. W	71.21 m. to point 239;
thence: N 78 deg. 45 min. W	365.31 m. to point 240;
thence: N 13 deg. 7 min. E	110.17 m. to point 241;
thence: N 26 deg. 16 min. E	111.88 m. to point 242;
thence: N 19 deg. 34 min. W	174.46 m. to point 243;
thence: S 80 deg. 47 min. W	107.63 m. to point 244;
thence: N 61 deg. 43 min. W	231.13 m. to point 245;
thence: S 86 deg. 47 min. W	200.60 m. to point 246;
thence: N 81 deg. 10 min. W	181.43 m. to point 247;
thence: S 50 deg. 32 min. W	130.33 m. to point 248;
thence: S 3 deg. 4 min. W	119.94 m. to point 249;
thence: S 11 deg. 13 min. W	61.51 m. to point 250;
thence: S 23 deg. 25 min. E	172.13 m. to point 251;
thence: S 8 deg. 37 min. W	250.29 m. to point 252;
thence: S 11 deg. 58 min. E	102.85 m. to point 253;
thence: S 23 deg. 0 min. E	292.41 m. to point 254;
thence: S 9 deg. 45 min. E	234.10 m. to point 255;
thence: S 24 deg. 40 min. W	53.57 m. to point 256;
thence: N 79 deg. 4 min. E	197.58 m. to point 257;

thence: N 61 deg. 58 min. E	71.22 m. to point 258;
thence: S 32 deg. 35 min. W	130.74 m. to point 259;
thence: S 16 deg. 24 min. E	137.30 m. to point 260;
thence: S 36 deg. 50 min. E	216.06 m. to point 261;
thence: N 80 deg. 17 min. E	49.56 m. to point 262;
thence: N 80 deg. 44 min. E	39.28 m. to point 263;
thence: N 37 deg. 50 min. E	24.65 m. to point 264;
thence: N 88 deg. 40 min. E	33.68 m. to point 265;
thence: N 8 deg. 40 min. E	18.99 m. to point 266;
thence: S 76 deg. 20 min. E	15.27 m. to point 267;
thence: S 5 deg. 2 min. W	43.28 m. to point 268;
thence: S 87 deg. 4 min. E	64.68 m. to point 269;
thence: S 39 deg. 47 min. E	29.79 m. to point 270;
thence: S 0 deg. 40 min. E	69.58 m. to point 271;
thence: N 73 deg. 24 min. E	36.23 m. to point 272;
thence: S 34 deg. 48 min. E	140.38 m. to point 273;
thence: S 68 deg. 56 min. E	47.92 m. to point 274;
thence: S 27 deg. 46 min. W	111.26 m. to point 275;
thence: S 48 deg. 44 min. W	48.55 m. to point 276;
thence: S 49 deg. 20 min. E	58.84 m. to point 277;
thence: S 52 deg. 17 min. E	33.75 m. to point 278;
thence: S 13 deg. 42 min. W	38.47 m. to point 279;
thence: S 41 deg. 52 min. E	98.89 m. to point 280;
thence: S 73 deg. 20 min. W	18.00 m. to point 281;
thence: S 46 deg. 46 min. W	15.74 m. to point 282;
thence: S 42 deg. 30 min. E	27.33 m. to point 283;
thence: S 80 deg. 32 min. W	28.68 m. to point 284;
thence: S 14 deg. 31 min. W	54.93 m. to point 285;
thence: S 75 deg. 5 min. E	67.78 m. to point 286;
thence: S 34 deg. 11 min. W	21.09 m. to point 287;
thence: S 14 deg. 50 min. E	135.70 m. to point 288;
thence: S 26 deg. 9 min. W	183.06 m. to point 289;
thence: S 10 deg. 41 min. W	44.74 m. to point 290;
thence: S 10 deg. 0 min. W	63.20 m. to point 291;
thence: N 53 deg. 50 min. W	173.39 m. to point 292;
thence: S 53 deg. 22 min. W	82.51 m. to point 293;
thence: S 44 deg. 47 min. W	123.90 m. to point 294;
thence: S 79 deg. 19 min. W	365.44 m. to point 295;
thence: N 65 deg. 1 min. W	180.05 m. to point 296;

thence: N 55 deg. 28 min. W 43.50 m. to point 297;
 thence: N 75 deg. 45 min. W 44.65 m. to point 298;
 thence: N 56 deg. 6 min. W 188.23 m. to point 299;
 thence: S 86 deg. 22 min. W 85.23 m. to point 300;
 thence: S 54 deg. 2 min. W 61.57 m. to point 301;
 thence: S 55 deg. 37 min. W 241.77 m. to point 302;
 thence: S 42 deg. 55 min. W 199.97 m. to point 303;
 thence: S 66 deg. 25 min. W 347.58 m. to point 304;
 thence: S 83 deg. 0 min. W 146.07 m. to point 305;
 thence: N 70 deg. 6 min. W 173.43 m. to point 306;
 thence: S 66 deg. 17 min. W 159.45 m. to point 307;
 thence: N 69 deg. 22 min. W 221.19 m. to point 308;
 thence: N 49 deg. 43 min. W 233.54 m. to point 309;
 thence: S 37 deg. 50 min. W 57.69 m. to point 310;
 thence: N 84 deg. 23 min. W 263.64 m. to point 311;
 thence: S 33 deg. 0 min. W 90.00 m. to point 312;
 thence: N 38 deg. 18 min. W 223.22 m. to point 313;
 thence: S 82 deg. 32 min. W 338.26 m. to point 314;
 thence: N 25 deg. 15 min. E 81.06 m. to point 315;
 thence: N 41 deg. 0 min. W 65.26 m. to point 316;
 thence: N 9 deg. 54 min. E 178.43 m. to point 317;
 thence: N 62 deg. 6 min. W 157.59 m. to point 318;
 thence: N 80 deg. 27 min. W 131.85 m. to point 319;
 thence: N 72 deg. 37 min. W 78.80 m. to point 320;
 thence: S 22 deg. 44 min. W 34.47 m. to point 321;
 thence: N 36 deg. 10 min. W 37.46 m. to point 322;
 thence: N 7 deg. 57 min. E 325.30 m. to point 323;
 thence: S 49 deg. 37 min. E 178.89 m. to point 324;
 thence: N 50 deg. 55 min. E 206.29 m. to point 325;
 thence: N 85 deg. 3 min. E 692.35 m. to point 326;
 thence: S 41 deg. 3 min. E 504.07 m. to point 327;
 thence: N 55 deg. 1 min. E 366.21 m. to point 328;
 thence: N 18 deg. 26 min. W 221.02 m. to point 329;
 thence: N 3 deg. 52 min. E 592.89 m. to point 330;
 thence: N 10 deg. 25 min. E 224.31 m. to point 331;
 thence: N 75 deg. 44 min. W 285.64 m. to point 332;
 thence: S 46 deg. 4 min. W 144.13 m. to point 333;
 thence: S 60 deg. 2 min. W 313.86 m. to point 334;
 thence: S 56 deg. 12 min. W 83.13 m. to point 335;

thence: N 89 deg. 34 min. W	280.12 m. to point 336;
thence: N 57 deg. 23 min. W	183.71 m. to point 337;
thence: N 53 deg. 20 min. W	303.21 m. to point 338;
thence: S 15 deg. 31 min. W	186.13 m. to point 339;
thence: N 78 deg. 56 min. W	206.27 m. to point 340;
thence: S 65 deg. 53 min. W	196.70 m. to point 341;
thence: S 73 deg. 37 min. W	208.82 m. to point 342;
thence: N 26 deg. 17 min. W	223.01 m. to point 343;
thence: N 31 deg. 54 min. E	140.21 m. to point 344;
thence: N 48 deg. 42 min. W	165.19 m. to point 345;
thence: N 10 deg. 53 min. W	398.28 m. to point 346;
thence: S 86 deg. 0 min. E	299.78 m. to point 347;
thence: S 81 deg. 22 min. E	337.57 m. to point 348;
thence: N 29 deg. 10 min. E	128.91 m. to point 349;
thence: N 37 deg. 22 min. W	251.58 m. to point 350;
thence: N 70 deg. 55 min. W	271.39 m. to point 351;
thence: S 87 deg. 40 min. W	130.58 m. to point 352;
thence: S 64 deg. 42 min. W	99.33 m. to point 353;
thence: S 13 deg. 12 min. W	289.60 m. to point 354;
thence: S 10 deg. 53 min. E	398.28 m. to point 355;
thence: N 69 deg. 57 min. W	218.83 m. to point 356;
thence: S 62 deg. 53 min. W	318.13 m. to point 357;
thence: S 53 deg. 9 min. W	162.40 m. to point 358;
thence: S 75 deg. 52 min. E	256.43 m. to point 359;
thence: S 16 deg. 26 min. E	248.94 m. to point 360;
thence: S 17 deg. 51 min. W	231.79 m. to point 361;
thence: S 44 deg. 33 min. W	264.20 m. to point 362;
thence: S 47 deg. 24 min. W	194.21 m. to point 363;
thence: N 38 deg. 17 min. W	177.61 m. to point 364;
thence: N 44 deg. 24 min. W	98.39 m. to point 365;
thence: N 24 deg. 26 min. W	246.80 m. to point 366;
thence: N 51 deg. 0 min. W	230.26 m. to point 367;
thence: N 27 deg. 46 min. W	192.80 m. to point 368;
thence: S 51 deg. 38 min. W	127.90 m. to point 369;
thence: S 83 deg. 6 min. W	252.72 m. to point 370;
thence: N 22 deg. 43 min. W	314.22 m. to point 371;
thence: N 48 deg. 43 min. E	227.52 m. to point 372;
thence: N 0 deg. 5 min. E	143.01 m. to point 373;
thence: N 44 deg. 28 min. E	249.01 m. to point 374;

thence: N 4 deg. 38 min. W	182.89 m. to point 375;
thence: N 31 deg. 12 min. E	850.09 m. to point 376;
thence: N 53 deg. 0 min. E	313.18 m. to point 377;
thence: N 27 deg. 46 min. W	152.71 m. to point 378;
thence: N 6 deg. 36 min. W	166.20 m. to point 379;
thence: S 67 deg. 1 min. E	204.97 m. to point 380;
thence: N 89 deg. 35 min. E	151.39 m. to point 381;
thence: N 65 deg. 19 min. E	287.28 m. to point 382;
thence: N 32 deg. 35 min. W	189.97 m. to point 383;
thence: N 63 deg. 25 min. W	268.26 m. to point 384;
thence: N 71 deg. 53 min. W	252.76 m. to point 385;
thence: S 68 deg. 36 min. W	273.81 m. to point 386;
thence: S 40 deg. 1 min. W	194.32 m. to point 387;
thence: S 11 deg. 18 min. W	307.07 m. to point 388;
thence: S 33 deg. 0 min. E	202.62 m. to point 389;
thence: S 41 deg. 52 min. E	226.59 m. to point 390;
thence: S 31 deg. 12 min. W	850.09 m. to point 391;
thence: S 38 deg. 47 min. W	221.63 m. to point 392;
thence: S 72 deg. 28 min. W	185.00 m. to point 393;
thence: S 73 deg. 17 min. W	262.51 m. to point 394;
thence: S 59 deg. 55 min. W	117.17 m. to point 395;
thence: S 30 deg. 46 min. E	251.27 m. to point 396;
thence: S 70 deg. 21 min. E	221.58 m. to point 397;
thence: S 22 deg. 43 min. E	314.22 m. to point 398;
thence: S 1 deg. 4 min. E	154.08 m. to point 399;
thence: S 41 deg. 35 min. W	284.85 m. to point 400;
thence: S 70 deg. 48 min. W	332.55 m. to point 401;
thence: S 50 deg. 34 min. W	283.06 m. to point 402;
thence: S 21 deg. 34 min. W	272.88 m. to point 403;
thence: N 77 deg. 16 min. W	126.44 m. to point 404;
thence: N 14 deg. 29 min. E	3637.11 m. to point 405;
thence: N 15 deg. 0 min. E	310.84 m. to point 406;
thence: N 17 deg. 27 min. E	294.59 m. to point of;

beginning: containing an area of TWO THOUSAND ONE HUNDRED TWENTY-TWO (2,122) hectares more or less.

PARCEL II

Beginning at a point marked “1” on plan being N. 77 deg. 37'W. 9754.68 m from BLLM # 1 Pls-857-D Catarman Public Land Subdivision. Catarman, Northern Samar.

thence: S 47 deg. 50 min. E	321.77 m. to point 2;
thence: N 89 deg. 53 min. E	170.53 m. to point 3;
thence: N 24 deg. 29 min. E	202.59 m. to point 4;
thence: N 77 deg. 6 min. E	252.36 m. to point 5;
thence: N 45 deg. 26 min. E	212.12 m. to point 6;
thence: N 66 deg. 25 min. E	237.73 m. to point 7;
thence: S 26 deg. 31 min. E	201.03 m. to point 8;
thence: S 74 deg. 0 min. E	218.74 m. to point 9;
thence: S 83 deg. 53 min. E	168.58 m. to point 10;
thence: S 47 deg. 19 min. E	116.56 m. to point 11;
thence: S 35 deg. 16 min. W	186.73 m. to point 12;
thence: S 68 deg. 53 min. W	32.71 m. to point 13;
thence: N 4 deg. 14 min. W	61.31 m. to point 14;
thence: N 88 deg. 11 min. W	24.29 m. to point 15;
thence: N 53 deg. 56 min. W	24.62 m. to point 16;
thence: N 1 deg. 43 min. W	13.62 m. to point 17;
thence: N 31 deg. 29 min. W	22.77 m. to point 18;
thence: N 18 deg. 17 min. E	29.00 m. to point 19;
thence: N 61 deg. 57 min. W	58.85 m. to point 20;
thence: S 84 deg. 55 min. W	55.85 m. to point 21;
thence: N 82 deg. 3 min. W	202.51 m. to point 22;
thence: N 85 deg. 29 min. E	175.01 m. to point 23;
thence: N 84 deg. 25 min. W	51.68 m. to point 24;
thence: N 4 deg. 42 min. W	20.10 m. to point 25;
thence: S 87 deg. 12 min. W	45.96 m. to point 26;
thence: S 0 deg. 58 min. E	216.84 m. to point 27;
thence: S 20 deg. 41 min. W	204.26 m. to point 28;
thence: S 47 deg. 20 min. W	150.31 m. to point 29;
thence: S 68 deg. 0 min. W	113.90 m. to point 30;
thence: N 88 deg. 9 min. W	194.28 m. to point 31;
thence: S 57 deg. 2 min. W	40.09 m. to point 32;
thence: S 40 deg. 23 min. W	69.80 m. to point 33;

thence: S 80 deg. 14 min. W	186.98 m. to point 34;
thence: N 71 deg. 23 min. W	364.98 m. to point 35;
thence: S 1 deg. 14 min. E	229.37 m. to point 36;
thence: S 21 deg. 10 min. W	82.23 m. to point 37;
thence: S 29 deg. 14 min. W	30.04 m. to point 38;
thence: S 2 deg. 41 min. E	321.48 m. to point 39;
thence: S 85 deg. 34 min. W	254.70 m. to point 40;
thence: S 87 deg. 41 min. W	93.81 m. to point 41;
thence: N 55 deg. 46 min. W	92.73 m. to point 42;
thence: S 42 deg. 25 min. E	70.45 m. to point 43;
thence: S 39 deg. 42 min. W	61.88 m. to point 44;
thence: S 43 deg. 0 min. E	200.69 m. to point 45;
thence: S 59 deg. 11 min. W	134.74 m. to point 46;
thence: N 62 deg. 58 min. W	41.01 m. to point 47;
thence: S 88 deg. 13 min. E	30.63 m. to point 48;
thence: S 14 deg. 36 min. W	26.72 m. to point 49;
thence: N 67 deg. 3 min. E	51.98 m. to point 50;
thence: S 27 deg. 27 min. E	24.94 m. to point 51;
thence: N 59 deg. 19 min. E	60.82 m. to point 52;
thence: N 19 deg. 57 min. E	52.35 m. to point 53;
thence: N 73 deg. 34 min. E	48.80 m. to point 54;
thence: N 68 deg. 52 min. E	42.29 m. to point 55;
thence: S 55 deg. 31 min. E	34.81 m. to point 56;
thence: S 60 deg. 17 min. E	25.99 m. to point 57;
thence: N 62 deg. 1 min. E	34.03 m. to point 58;
thence: N 79 deg. 55 min. E	173.83 m. to point 59;
thence: S 52 deg. 34 min. E	127.18 m. to point 60;
thence: S 39 deg. 53 min. E	112.86 m. to point 61;
thence: S 1 deg. 52 min. E	55.36 m. to point 62;
thence: N 71 deg. 41 min. E	161.77 m. to point 63;
thence: N 72 deg. 34 min. E	111.62 m. to point 64;
thence: S 81 deg. 6 min. E	322.78 m. to point 65;
thence: S 22 deg. 7 min. E	131.23 m. to point 66;
thence: S 31 deg. 52 min. E	104.98 m. to point 67;
thence: S 11 deg. 22 min. E	196.41 m. to point 68;
thence: S 56 deg. 51 min. W	125.38 m. to point 69;
thence: S 71 deg. 18 min. W	32.22 m. to point 70;
thence: S 22 deg. 43 min. W	9.74 m. to point 71;
thence: S 14 deg. 38 min. W	58.75 m. to point 72;

thence: S 13 deg. 46 min. W	76.76 m. to point 73;
thence: S 5 deg. 19 min. E	102.78 m. to point 74;
thence: S 1 deg. 15 min. E	47.48 m. to point 75;
thence: S 40 deg. 21 min. E	20.56 m. to point 76;
thence: S 7 deg. 18 min. E	33.11 m. to point 77;
thence: S 25 deg. 33 min. E	60.25 m. to point 78;
thence: S 59 deg. 22 min. E	56.03 m. to point 79;
thence: S 9 deg. 20 min. W	93.93 m. to point 80;
thence: S 62 deg. 40 min. E	131.15 m. to point 81;
thence: S 6 deg. 13 min. E	27.96 m. to point 82;
thence: N 88 deg. 48 min. E	40.18 m. to point 83;
thence: S 88 deg. 48 min. W	40.18 m. to point 84;
thence: S 78 deg. 18 min. E	100.13 m. to point 85;
thence: N 72 deg. 42 min. E	35.56 m. to point 86;
thence: S 56 deg. 13 min. E	27.48 m. to point 87;
thence: N 8 deg. 37 min. E	36.97 m. to point 88;
thence: S 86 deg. 42 min. E	55.94 m. to point 89;
thence: S 65 deg. 55 min. E	74.91 m. to point 90;
thence: S 83 deg. 24 min. E	73.80 m. to point 91;
thence: N 14 deg. 5 min. E	32.08 m. to point 92;
thence: S 62 deg. 37 min. E	64.26 m. to point 93;
thence: S 7 deg. 19 min. W	136.23 m. to point 94;
thence: S 19 deg. 25 min. W	211.94 m. to point 95;
thence: S 70 deg. 43 min. W	194.74 m. to point 96;
thence: S 70 deg. 9 min. W	115.50 m. to point 97;
thence: S 53 deg. 15 min. W	98.88 m. to point 98;
thence: S 44 deg. 52 min. W	129.77 m. to point 99;
thence: N 31 deg. 25 min. W	54.40 m. to point 100;
thence: S 51 deg. 16 min. W	160.89 m. to point 101;
thence: S 20 deg. 59 min. W	135.46 m. to point 102;
thence: S 80 deg. 37 min. W	61.21 m. to point 103;
thence: S 1 deg. 30 min. W	183.74 m. to point 104;
thence: S 69 deg. 58 min. E	111.30 m. to point 105;
thence: S 36 deg. 27 min. W	193.27 m. to point 106;
thence: S 71 deg. 52 min. W	9.32 m. to point 107;
thence: S 26 deg. 45 min. W	108.36 m. to point 108;
thence: S 20 deg. 25 min. W	196.70 m. to point 109;
thence: S 8 deg. 41 min. E	194.80 m. to point 110;
thence: S 69 deg. 16 min. E	185.35 m. to point 111;

thence: S 27 deg. 58 min. E	260.48 m. to point 112;
thence: N 25 deg. 28 min. E	390.68 m. to point 113;
thence: S 69 deg. 40 min. E	149.85 m. to point 114;
thence: S 87 deg. 5 min. E	213.88 m. to point 115;
thence: N 35 deg. 8 min. E	51.82 m. to point 116;
thence: N 52 deg. 49 min. E	232.37 m. to point 117;
thence: S 77 deg. 1 min. E	347.95 m. to point 118;
thence: N 66 deg. 3 min. E	233.73 m. to point 119;
thence: S 87 deg. 40 min. E	62.63 m. to point 120;
thence: S 36 deg. 42 min. E	165.90 m. to point 121;
thence: S 51 deg. 8 min. E	173.41 m. to point 122;
thence: S 26 deg. 38 min. W	299.12 m. to point 123;
thence: N 44 deg. 41 min. W	24.84 m. to point 124;
thence: N 16 deg. 16 min. E	25.42 m. to point 125;
thence: S 78 deg. 55 min. W	31.21 m. to point 126;
thence: N 32 deg. 10 min. W	25.11 m. to point 127;
thence: N 1 deg. 19 min. E	38.04 m. to point 128;
thence: N 66 deg. 24 min. W	38.44 m. to point 129;
thence: N 6 deg. 29 min. E	23.46 m. to point 130;
thence: N 67 deg. 40 min. W	21.74 m. to point 131;
thence: N 27 deg. 50 min. W	32.38 m. to point 132;
thence: S 56 deg. 34 min. W	46.83 m. to point 133;
thence: N 11 deg. 52 min. W	47.20 m. to point 134;
thence: N 40 deg. 3 min. W	20.06 m. to point 135;
thence: N 68 deg. 53 min. W	26.39 m. to point 136;
thence: S 73 deg. 38 min. W	38.82 m. to point 137;
thence: S 84 deg. 3 min. W	28.29 m. to point 138;
thence: N 83 deg. 4 min. W	17.14 m. to point 139;
thence: S 61 deg. 39 min. W	48.60 m. to point 140;
thence: N 86 deg. 57 min. W	84.84 m. to point 141;
thence: S 15 deg. 39 min. W	21.50 m. to point 142;
thence: S 75 deg. 40 min. W	104.01 m. to point 143;
thence: S 9 deg. 53 min. E	138.13 m. to point 144;
thence: N 86 deg. 57 min. W	106.87 m. to point 145;
thence: S 25 deg. 17 min. W	77.31 m. to point 146;
thence: S 85 deg. 23 min. W	61.65 m. to point 147;
thence: S 39 deg. 28 min. W	96.59 m. to point 148;
thence: S 32 deg. 25 min. W	99.72 m. to point 149;
thence: S 25 deg. 28 min. W	119.36 m. to point 150;

thence: S 42 deg. 19 min. E	173.99 m. to point 151;
thence: S 34 deg. 40 min. W	57.69 m. to point 152;
thence: S 31deg. 33 min. E	21.92 m. to point 153;
thence: S 62deg. 1 min. W	53.30 m. to point 154;
thence: S 22 deg. 9 min. W	49.03 m. to point 155;
thence: S 50 deg. 18 min. W	268.45 m. to point 156;
thence: S 4 deg. 22 min. W	235.99 m. to point 157;
thence: S43 deg. 44 min. W	437.76 m. to point 158;
thence: N 63 deg. 18 min. W	377.10 m. to point 159;
thence: S 28 deg. 28 min. E	186.74 m. to point 160;
thence: N 88 deg. 20 min. W	271.76 m. to point 161;
thence: S 16 deg. 58 min. W	93.19 m. to point 162;
thence: S 28 deg. 5 min. E	77.82 m. to point 163;
thence: S 64 deg. 46 min. E	52.16 m. to point 164;
thence: S 28deg. 17 min. E	57.41 m. to point 165;
thence: S59 deg. 6 min. E	61.13 m. to point 166;
thence: S 35 deg. 11 min. E	322.64 m. to point 167;
thence: S 38 deg. 45 min. W	53.46 m. to point 168;
thence: S 9 deg. 27 min. W	23.12 m. to point 169;
thence: N 71deg. 42 min. W	36.46 m. to point 170;
thence: S 16 deg. 24 min. W	107.44 m. to point 171;
thence: S 23 deg. 38 min. W	89.48 m. to point 172;
thence: S 25 deg. 53 min. W	32.61 m. to point 173;
thence: N 81 deg. 13 min. W	37.86 m. to point 174;
thence: S 0 deg. 8 min. W	238.77 m. to point 175;
thence: S 15 deg. 42 min. E	31.09 m. to point 176;
thence: S 74 deg. 9 min. W	64.76 m. to point 177;
thence: S 84 deg. 23 min. W	64.23 m. to point 178;
thence: S 63 deg. 6 min. E	189.20 m. to point 79;
thence: S 17 deg. 14 min. W	316.41 m. to point 180;
thence: S 77 deg. 6 min. E	79.13 m. to point 181;
thence: S 56 deg. 54 min. E	292.60 m. to point 182;
thence: S 83 deg. 16 min. E	1031.5 m. to point 183;
thence: S 69 deg. 51 min. E	296.94 m. to point 184;
thence: S 31 deg. 57 min. E	281.93 m. to point 185;
thence: S 11 deg. 57 min. W	191.45 m. to point 186;
thence: S 23 deg. 2 min. W	248.46 m. to point 187;
thence: S 3 deg. 39 min. E	284.96 m. to point 188;
thence: S 3 deg. 29 min. E	239.15 m. to point 189;

thence: S 68 deg. 55 min. W	1042.95 m. to point 190;
thence: N 54 deg. 37 min. W	312.81 m. to point 191;
thence: S 80 deg. 32 min. W	105.83 m. to point 192;
thence: N 0 deg. 12 min. E	156.67 m. to point 193;
thence: N 71 deg. 35 min. W	88.31 m. to point 194;
thence: N 35 deg. 41 min. W	65.66 m. to point 195;
thence: N 54 deg. 18 min. W	104.61 m. to point 196;
thence: S 29 deg. 53 min. W	11.12 m. to point 197;
thence: S 42 deg. 7 min. E	22.50 m. to point 198;
thence: S 41 deg. 16 min. W	93.71 m. to point 199;
thence: N 16 deg. 29 min. W	26.89 m. to point 200;
thence: N 7 deg. 35 min. E	199.65 m. to point 201;
thence: S 79 deg. 43 min. W	307.87 m. to point 202;
thence: S 28 deg. 59 min. W	40.72 m. to point 203;
thence: S 76 deg. 52 min. W	20.88 m. to point 204;
thence: S 78 deg. 56 min. W	140.99 m. to point 205;
thence: S 47 deg. 20 min. W	376.90 m. to point 206;
thence: S 55 deg. 4 min. W	192.28 m. to point 207;
thence: N 11 deg. 37 min. W	52.36 m. to point 208;
thence: N 40 deg. 51 min. W	148.27 m. to point 209;
thence: N 6 deg. 25 min. W	13.94 m. to point 210;
thence: N 11 deg. 30 min. W	70.65 m. to point 211;
thence: N 78 deg. 51 min. W	275.80 m. to point 212;
thence: S 62 deg. 54 min. W	163.77 m. to point 213;
thence: S 76 deg. 34 min. W	249.80 m. to point 214;
thence: S 68 deg. 35 min. W	114.59 m. to point 215;
thence: S 39 deg. 29 min. E	159.88 m. to point 216;
thence: S 56 deg. 26 min. W	10.80 m. to point 217;
thence: N 77 deg. 36 min. W	52.76 m. to point 218;
thence: S 38 deg. 43 min. E	245.99 m. to point 219;
thence: S 49 deg. 20 min. W	29.60 m. to point 220;
thence: S 47 deg. 48 min. W	12.43 m. to point 221;
thence: N 77 deg. 55 min. W	55.81 m. to point 222;
thence: S 13 deg. 13 min. W	221.77 m. to point 223;
thence: N 58 deg. 39 min. E	222.86 m. to point 224;
thence: N 43 deg. 44 min. E	107.95 m. to point 225;
thence: N 78 deg. 42 min. E	62.61 m. to point 226;
thence: N 52 deg. 4 min. E	149.95 m. to point 227;
thence: S 11 deg. 35 min. E	245.84 m. to point 228;

thence: S 36 deg. 45 min. W	132.36 m. to point 229;
thence: N 85deg. 18 min. E	240.04 m. to point 230;
thence: N 77 deg. 39 min. E	202.48 m. to point 231;
thence: N 48 deg. 12 min. E	56.94 m. to point 232;
thence: S 65 deg. 7 min. E	119.85 m. to point 233;
thence: N 86 deg. 37 min. E	287.71 m. to point 234;
thence: S 34 deg. 14 min. W	40.62 m. to point 235;
thence: S 80 deg. 4 min. E	232.85 m. to point 236;
thence: N 10 deg. 8 min. E	223.06 m. to point 237;
thence: S 65 deg. 50 min. E	219.10 m. to point 238;
thence: S 31 deg. 23 min. E	317.54 m. to point 239;
thence: S 84 deg. 47 min. E	182.91 m. to point 240;
thence: N 89 deg. 17 min. E	97.25 m. to point 241;
thence: N 37 deg. 10 min. E	178.49 m. to point 242;
thence: N 61 deg. 18 min. E	11.81 m. to point 243;
thence: N 23 deg. 41 min. E	196.46 m. to point 244;
thence: N 84 deg. 55 min. W	175.22 m. to point 245;
thence: N 6 deg. 54 min. W	104.79 m. to point 246;
thence: N 63 deg. 12 min. E	175.01 m. to point 247;
thence: N 68 deg. 55 min. E	1042.95 m. to point 248;
thence: S 2 deg. 48 min. E	299.23 m. to point 249;
thence: S 35 deg. 20 min. E	418.87 m. to point 250;
thence: S 24 deg. 4 min. W	414.65 m. to point 251;
thence: S 12 deg. 3 min. W	305.52 m. to point 252;
thence: S 23 deg. 28 min. W	218.33 m. to point 253;
thence: S 72 deg. 59 min. W	180.18 m. to point 254;
thence: S 15 deg. 53 min. W	226.99 m. to point 255;
thence: S 36 deg. 0 min. W	248.84 m. to point 256;
thence: S 55 deg. 23 min. W	230.61 m. to point 257;
thence: S 52 deg. 34 min. W	228.24 m. to point 258;
thence: S 81 deg. 35 min. W	200.88 m. to point 259;
thence: S 79 deg. 47 min. W	229.89 m. to point 260;
thence: S 84 deg. 0 min. W	115.42 m. to point 261;
thence: S 11 deg. 16 min. E	252.30 m. to point 262;
thence: S 86 deg. 59 min. W	198.25 m. to point 263;
thence: N 79 deg. 52 min. W	226.92 m. to point 264;
thence: N 88 deg. 5 min. W	308.08 m. to point 265;
thence: S 69 deg. 17 min. W	137.85 m. to point 266;
thence: S 3 deg. 28 min. W	181.82 m. to point 267;

thence: S 56 deg. 53 min. W	192.19 m. to point 268;
thence: N 59 deg. 8 min. W	253.82 m. to point 269;
thence: N 11 deg. 50 min. W	204.72 m. to point 270;
thence: N 8 deg. 3 min. W	223.02 m. to point 271;
thence: N 62 deg. 33 min. W	245.24 m. to point 272;
thence: N 29 deg. 9 min. W	368.40 m. to point 273;
thence: N 2 deg. 34 min. E	238.89 m. to point 274;
thence: N 0 deg. 5 min. E	241.52 m. to point 275;
thence: S 51 deg. 53 min. W	244.60 m. to point 276;
thence: S 63 deg. 16 min. W	212.11 m. to point 277;
thence: N 21 deg. 58 min. W	189.30 m. to point 278;
thence: S 28 deg. 43 min. W	147.96 m. to point 279;
thence: S 47 deg. 54 min. W	267.32 m. to point 280;
thence: S 63 deg. 23 min. W	426.70 m. to point 281;
thence: S 70 deg. 58 min. W	432.79 m. to point 282;
thence: N 44 deg. 42 min. W	284.05 m. to point 283;
thence: N 70 deg. 33 min. W	295.45 m. to point 284;
thence: S 30 deg. 19 min. W	230.82 m. to point 285;
thence: N 79 deg. 28 min. W	492.41 m. to point 286;
thence: S 76 deg. 41 min. W	134.18 m. to point 287;
thence: S 67 deg. 40 min. W	259.52 m. to point 288;
thence: N 83 deg. 25 min. W	181.78 m. to point 289;
thence: N 23 deg. 12 min. W	248.61 m. to point 290;
thence: N 11 deg. 3 min. E	202.95 m. to point 291;
thence: N 3 deg. 0 min. E	210.72 m. to point 292;
thence: N 19 deg. 37 min. E	234.45 m. to point 293;
thence: N 29 deg. 3 min. E	165.42 m. to point 294;
thence: N 38 deg. 16 min. E	352.35 m. to point 295;
thence: S 80 deg. 31 min. E	305.35 m. to point 296;
thence: S 24 deg. 29 min. W	276.00 m. to point 297;
thence: N 65 deg. 53 min. E	366.70 m. to point 298;
thence: N 52 deg. 44 min. E	314.45 m. to point 299;
thence: N 33 deg. 11 min. E	129.57 m. to point 300;
thence: N 4 deg. 7 min. W	149.44 m. to point 301;
thence: N 61 deg. 15 min. E	214.80 m. to point 302;
thence: N 57 deg. 14 min. W	533.19 m. to point 303;
thence: N 19 deg. 13 min. W	244.56 m. to point 304;
thence: N 78 deg. 50 min. W	151.40 m. to point 305;
thence: N 5 deg. 10 min. W	252.53 m. to point 306;

thence: N 78 deg. 35 min. E	297.70 m. to point 307;
thence: N 1 deg. 42 min. E	158.09 m. to point 308;
thence: N 72 deg. 18 min. E	204.13 m. to point 309;
thence: N 23 deg. 40 min. E	228.90 m. to point 310;
thence: N 51 deg. 8 min. E	255.32 m. to point 311;
thence: N 86 deg. 58 min. E	208.69 m. to point 312;
thence: N 23 deg. 32 min. E	141.01 m. to point 313;
thence: N 29 deg. 35 min. W	353.89 m. to point 314;
thence: N 25 deg. 2 min. W	399.12 m. to point 315;
thence: N 1 deg. 54 min. E	260.52 m. to point 316;
thence: N 27 deg. 33 min. E	357.22 m. to point 317;
thence: N 62 deg. 24 min. E	287.92 m. to point 318;
thence: S 74 deg. 9 min. E	186.69 m. to point 319;
thence: S 75 deg. 30 min. E	393.27 m. to point 320;
thence: N 2 deg. 47 min. E	180.25 m. to point 321;
thence: N 10 deg. 30 min. E	323.94 m. to point 322;
thence: N 5 deg. 38 min. E	213.05 m. to point 323;
thence: N 67 deg. 23 min. E	227.63 m. to point 324;
thence: N 62 deg. 12 min. E	238.06 m. to point 325;
thence: N 84 deg. 5 min. E	281.05 m. to point 326;
thence: N 79 deg. 9 min. E	325.59 m. to point 327;
thence: N 23 deg. 21 min. W	173.69 m. to point 328;
thence: N 36 deg. 46 min. W	251.88 m. to point 329;
thence: N 21 deg. 23 min. W	245.63 m. to point 330;
thence: S 61 deg. 15 min. W	184.57 m. to point 331;
thence: N 34 deg. 39 min. W	241.04 m. to point 332;
thence: N 8 deg. 34 min. W	282.57 m. to point 333;
thence: N 58 deg. 54 min. W	232.06 m. to point 334;
thence: N 2 deg. 13 min. W	270.76 m. to point 335;
thence: N 8 deg. 11 min. W	283.42 m. to point 336;
thence: N 54 deg. 10 min. E	234.89 m. to point 337;
thence: N 67 deg. 59 min. E	247.66 m. to point 338;
thence: N 50 deg. 35 min. E	233.30 m. to point 339;
thence: N 81 deg. 45 min. W	506.41 m. to point 340;
thence: N 68 deg. 36 min. W	272.66 m. to point 341;
thence: N 6 deg. 39 min. E	279.83 m. to point 342;
thence: N 10 deg. 23 min. W	93.44 m. to point 343;
thence: N 36 deg. 19 min. E	385.80 m. to point 344;
thence: S 51 deg. 28 min. E	293.07 m. to point 345;

thence: S 52 deg. 32 min. E	240.78 m. to point 346;
thence: N 26 deg. 35 min. E	381.61 m. to point 347;
thence: N 48 deg. 43 min. W	239.08 m. to point 348;
thence: N 37 deg. 48 min. W	241.82 m. to point 349;
thence: N 16 deg. 56 min. W	180.71 m. to point 350;
thence: N 65 deg. 18 min. W	251.97 m. to point 351;
thence: N 39 deg. 13 min. W	271.95 m. to point 352;
thence: N 69 deg. 55 min. W	201.51 m. to point 353;
thence: N 15 deg. 1 min. E	1810.50 m. to point 354;
thence: S 77 deg. 16 min. E	126.44 m. to point of;

beginning; containing an area of THREE THOUSAND FOUR HUNDRED SIXTEEN (3,416) hectares more or less.

PARCEL III

Beginning at a point marked "1" on plan being S 54 deg. 07' W. 9347.33 m from BLLM # 1 Pls-857-D Catarman Public Land Subdivision. Catarman, Northern Samar.

thence: N 5 deg. 45 min. E	317.39 m. to point 2;
thence: N 24 deg. 10 min. E	310.35 m. to point 3;
thence: N 75 deg. 46 min. E	20.00 m. to point 4;
thence: N66 deg. 57 min. E	105.33 m. to point 5;
thence: S 66 deg. 48 min. E	149.14 m. to point 6;
thence: N 35 deg. 0 min. W	221.47 m. to point 7;
thence: N 72 deg. 18 min. E	129.46 m. to point 8;
thence: N 68 deg. 8 min. E	96.86 m. to point 9;
thence: N51 deg. 25 min. E	123.46 m. to point 10;
thence: N 22 deg. 41 min. E	93.71 m. to point 11;
thence: N 39 deg. 56 min. W	21.92 m. to point 12;
thence: N 15 deg. 45 min. E	39.97 m. to point 13;
thence: N 66 deg. 31 min. E	37.37 m. to point 14;
thence: N 24 deg. 22 min. W	34.15 m. to point 15;
thence: N 63 deg. 15 min. E	14.15 m. to point 16;
thence: N 6 deg. 50 min. W	68.08 m. to point 17;
thence: N 31 deg. 54 min. W	42.99 m. to point 18;
thence: N 61 deg. 32 min. E	223.23 m. to point 19;

thence: N 6 deg. 29 min. W	68.18 m. to point 20;
thence: S 65 deg. 42 min. E	245.11 m. to point 21;
thence: S 55 deg. 34 min. E	247.18 m. to point 22;
thence: S 32 deg. 48 min. E	125.41 m. to point 23;
thence: S 35 deg. 51 min. E	53.08 m. to point 24;
thence: N 70 deg. 24 min. E	26.92 m. to point 25;
thence: S 64 deg. 42 min. E	30.61 m. to point 26;
thence: S 74 deg. 6 min. E	63.17 m. to point 27;
thence: N 54 deg. 22 min. E	84.34 m. to point 28;
thence: N 50 deg. 32 min. E	29.55 m. to point 29;
thence: N 13 deg. 41 min. W	53.06 m. to point 30;
thence: N 51 deg. 32 min. E	22.09 m. to point 31;
thence: S 41 deg. 22 min. E	47.16 m. to point 32;
thence: N 23 deg. 54 min. E	50.69 m. to point 33;
thence: N 45 deg. 56 min. E	53.00 m. to point 34;
thence: N 3 deg. 58 min. E	42.84 m. to point 35;
thence: N 82 deg. 29 min. E	22.94 m. to point 36;
thence: N 15 deg. 32 min. W	62.15 m. to point 37;
thence: N 84 deg. 54 min. E	43.73 m. to point 38;
thence: N 18 deg. 1 min. W	58.88 m. to point 39;
thence: N 64 deg. 8 min. E	12.34 m. to point 40;
thence: N 7 deg. 2 min. E	53.35 m. to point 41;
thence: N 46 deg. 54 min. W	56.66 m. to point 42;
thence: N 41 deg. 28 min. E	38.04 m. to point 43;
thence: S 87 deg. 57 min. W	26.27 m. to point 44;
thence: N 42 deg. 25 min. W	55.10 m. to point 45;
thence: N 6 deg. 51 min. W	23.58 m. to point 46;
thence: S 78 deg. 30 min. W	86.92 m. to point 47;
thence: N 30 deg. 59 min. W	29.64 m. to point 48;
thence: N 33 deg. 45 min. E	44.62 m. to point 49;
thence: N 4 deg. 48 min. E	272.39 m. to point 50;
thence: S 37 deg. 19 min. E	49.30 m. to point 51;
thence: S 73 deg. 29 min. E	15.16 m. to point 52;
thence: S 2 deg. 19 min. W	17.00 m. to point 53;
thence: N 86 deg. 25 min. E	22.38 m. to point 54;
thence: N 47 deg. 11 min. E	84.41 m. to point 55;
thence: N 4 deg. 13 min. W	20.26 m. to point 56;
thence: N 82 deg. 44 min. E	31.96 m. to point 57;
thence: S 89 deg. 20 min. E	85.12 m. to point 58;

thence: N 38 deg. 10 min. E	25.89 m. to point 59;
thence: S 12 deg. 37 min. E	26.61 m. to point 60;
thence: N 46 deg. 28 min. E	59.72 m. to point 61;
thence: N 40 deg. 47 min. E	29.32 m. to point 62;
thence: S 34 deg. 27 min. E	50.80 m. to point 63;
thence: N 79 deg. 1 min. E	38.19 m. to point 64;
thence: S 82 deg. 59 min. E	40.98 m. to point 65;
thence: S 77 deg. 33 min. E	91.76 m. to point 66;
thence: S 31 deg. 38 min. E	107.89 m. to point 67;
thence: N 85 deg. 47 min. E	10.34 m. to point 68;
thence: N 82 deg. 51 min. E	59.53 m. to point 69;
thence: N 72 deg. 29 min. E	29.49 m. to point 70;
thence: S 56 deg. 15 min. E	28.10 m. to point 71;
thence: N 72 deg. 13 min. E	88.57 m. to point 72;
thence: N 75 deg. 52 min. E	95.84 m. to point 73;
thence: S 49 deg. 51 min. E	201.14 m. to point 74;
thence: S 18 deg. 42 min. W	176.46 m. to point 75;
thence: S 36 deg. 38 min. E	101.17 m. to point 76;
thence: N 53 deg. 14 min. E	46.21 m. to point 77;
thence: S 7 deg. 16 min. E	15.26 m. to point 78;
thence: S 47 deg. 6 min. E	175.05 m. to point 79;
thence: S 48 deg. 4 min. E	312.09 m. to point 80;
thence: S 22 deg. 51 min. W	44.61 m. to point 81;
thence: S 18 deg. 54 min. E	21.09 m. to point 82;
thence: N 79 deg. 20 min. W	21.33 m. to point 83;
thence: S 87 deg. 49 min. W	98.94 m. to point 84;
thence: S 15 deg. 44 min. W	59.98 m. to point 85;
thence: S 56 deg. 7 min. E	32.66 m. to point 86;
thence: S 32 deg. 36 min. W	52.40 m. to point 87;
thence: S 22 deg. 40 min. E	41.27 m. to point 88;
thence: S 20 deg. 4 min. E	50.67 m. to point 89;
thence: N 84 deg. 52 min. E	40.86 m. to point 90;
thence: S 54 deg. 2 min. E	6.21 m. to point 91;
thence: S 34 deg. 39 min. W	50.38 m. to point 92;
thence: S 63 deg. 12 min. E	34.03 m. to point 93;
thence: S 43 deg. 1 min. W	27.61 m. to point 94;
thence: S 35 deg. 45 min. E	16.36 m. to point 95;
thence: S 4 deg. 34 min. W	32.07 m. to point 96;
thence: N 87 deg. 27 min. E	58.08 m. to point 97;

thence: S 37 deg. 11 min. E	49.01 m. to point 98;
thence: N 32 deg. 38 min. E	24.64 m. to point 99;
thence: N 69 deg. 34 min. E	32.52 m. to point 100;
thence: S 43 deg. 37 min. E	213.72 m. to point 101;
thence: S 23 deg. 52 min. E	144.32 m. to point 102;
thence: S 56 deg. 25 min. E	238.65 m. to point 103;
thence: N 58 deg. 13 min. E	293.81 m. to point 104;
thence: N 26 deg. 56 min. E	210.76 m. to point 105;
thence: N 31 deg. 40 min. W	43.47 m. to point 106;
thence: N 33 deg. 22 min. E	34.95 m. to point 107;
thence: S 69 deg. 49 min. E	81.42 m. to point 108;
thence: N 84 deg. 39 min. E	62.15 m. to point 109;
thence: S 58 deg. 50 min. E	75.55 m. to point 110;
thence: N 18 deg. 40 min. E	105.60 m. to point 111;
thence: N 19 deg. 9 min. E	52.63 m. to point 112;
thence: N 41 deg. 20 min. W	208.40 m. to point 113;
thence: N 37 deg. 25 min. E	114.98 m. to point 114;
thence: N 37 deg. 32 min. E	135.16 m. to point 115;
thence: N 56 deg. 16 min. W	181.15 m. to point 116;
thence: N 12 deg. 14 min. E	69.58 m. to point 117;
thence: N 84 deg. 23 min. E	176.11 m. to point 118;
thence: N 36 deg. 50 min. E	195.65 m. to point 119;
thence: N 52 deg. 24 min. E	336.41 m. to point 120;
thence: N 56 deg. 17 min. E	92.85 m. to point 121;
thence: N 22 deg. 52 min. E	48.99 m. to point 122;
thence: N 87 deg. 31 min. E	39.39 m. to point 123;
thence: S 37 deg. 29 min. E	118.97 m. to point 124;
thence: S 26 deg. 51 min. E	134.81 m. to point 125;
thence: N 82 deg. 1 min. E	263.98 m. to point 126;
thence: S 58 deg. 34 min. E	257.25 m. to point 127;
thence: S 84 deg. 47 min. E	231.07 m. to point 128;
thence: S 80 deg. 20 min. E	232.09 m. to point 129;
thence: S 48 deg. 9 min. E	271.23 m. to point 130;
thence: S 32 deg. 10 min. E	72.98 m. to point 131;
thence: S 84 deg. 12 min. E	49.28 m. to point 132;
thence: S 16 deg. 58 min. E	145.54 m. to point 133;
thence: N 79 deg. 6 min. E	111.16 m. to point 134;
thence: S 0 deg. 6 min. E	694.18 m. to point 135;
thence: S 21 deg. 3 min. E	747.66 m. to point 136;

thence: S 29 deg. 51 min. E	383.23 m. to point 137;
thence: S 11 deg. 33 min. W	153.84 m. to point 138;
thence: S 14 deg. 30 min. W	298.27 m. to point 139;
thence: S 40 deg. 46 min. W	304.93 m. to point 140;
thence: S 54 deg. 6 min. W	392.54 m. to point 141;
thence: S 55 deg. 8 min. W	97.80 m. to point 142;
thence: N 22 deg. 34 min. W	85.59 m. to point 143;
thence: S 77 deg. 30 min. W	46.87 m. to point 144;
thence: S 81 deg. 40 min. W	237.03 m. to point 145;
thence: S 75 deg. 20 min. W	308.79 m. to point 146;
thence: N 88 deg. 45 min. W	81.54 m. to point 147;
thence: S 77 deg. 24 min. W	136.33 m. to point 148;
thence: S 0 deg. 18 min. E	78.83 m. to point 149;
thence: S 60 deg. 14 min. E	21.19 m. to point 150;
thence: S 26 deg. 3 min. E	98.28 m. to point 151;
thence: S 71 deg. 11 min. W	43.64 m. to point 152;
thence: S 29 deg. 42 min. E	24.96 m. to point 153;
thence: S 47 deg. 19 min. W	31.39 m. to point 154;
thence: S 20 deg. 9 min. W	88.94 m. to point 155;
thence: S 39 deg. 30 min. E	46.33 m. to point 156;
thence: S 1 deg. 43 min. W	11.70 m. to point 157;
thence: S 82 deg. 16 min. W	147.49 m. to point 158;
thence: S 16 deg. 30 min. W	299.09 m. to point 159;
thence: S 63 deg. 14 min. W	130.88 m. to point 160;
thence: S 8 deg. 24 min. W	195.86 m. to point 161;
thence: S 53 deg. 24 min. E	114.77 m. to point 162;
thence: S 46 deg. 25 min. E	162.93 m. to point 163;
thence: S 59 deg. 9 min. E	127.08 m. to point 164;
thence: S 77 deg. 45 min. E	101.63 m. to point 165;
thence: S 88 deg. 13 min. E	9.01 m. to point 166;
thence: S 50 deg. 17 min. E	162.97 m. to point 167;
thence: N 67 deg. 40 min. E	157.94 m. to point 168;
thence: S 19 deg. 56 min. E	105.68 m. to point 169;
thence: N 82 deg. 58 min. E	82.80 m. to point 170;
thence: S 29 deg. 40 min. W	302.25 m. to point 171;
thence: S 28 deg. 36 min. W	274.32 m. to point 172;
thence: S 29 deg. 36 min. W	240.60 m. to point 173;
thence: N 50 deg. 49 min. W	348.32 m. to point 174;
thence: S 42 deg. 43 min. W	382.80 m. to point 175;

thence: S 50 deg. 27 min. W	233.82 m. to point 176;
thence: N 76 deg. 32 min. W	387.01 m. to point 177;
thence: S 71 deg. 58 min. W	225.73 m. to point 178;
thence: N 87 deg. 43 min. W	249.12 m. to point 179;
thence: S 66 deg. 44 min. W	217.85 m. to point 180;
thence: S 12 deg. 33 min. E	184.42 m. to point 181;
thence: S 58 deg. 24 min. E	293.67 m. to point 182;
thence: S 0 deg. 0 min. W	205.72 m. to point 183;
thence: S 20 deg. 1 min. E	230.32 m. to point 184;
thence: S 20 deg. 42 min. W	211.74 m. to point 185;
thence: S 47 deg. 29 min. E	164.23 m. to point 186;
thence: S 5 deg. 39 min. W	272.71 m. to point 187;
thence: S 62 deg. 33 min. W	292.66 m. to point 188;
thence: N 52 deg. 55 min. W	188.38 m. to point 189;
thence: N 89 deg. 12 min. W	170.93 m. to point 190;
thence: S 57 deg. 24 min. W	289.73 m. to point 191;
thence: N 38 deg. 28 min. W	114.76 m. to point 192;
thence: N 74 deg. 56 min. W	346.90 m. to point 193;
thence: N 22 deg. 17 min. W	184.03 m. to point 194;
thence: N 9 deg. 42 min. W	170.89 m. to point 195;
thence: N 71 deg. 8 min. E	232.51 m. to point 196;
thence: N 79 deg. 12 min. E	212.75 m. to point 197;
thence: N 41 deg. 47 min. E	241.70 m. to point 198;
thence: N 12 deg. 0 min. E	235.11 m. to point 199;
thence: N 60 deg. 8 min. W	240.98 m. to point 200;
thence: N 52 deg. 1 min. W	253.47 m. to point 201;
thence: N 33 deg. 17 min. W	328.24 m. to point 202;
thence: N 54 deg. 23 min. W	307.67 m. to point 203;
thence: N 33 deg. 38 min. W	235.97 m. to point 204;
thence: N 37 deg. 57 min. W	228.32 m. to point 205;
thence: N 7 deg. 23 min. E	235.96 m. to point 206;
thence: N 10 deg. 19 min. E	229.01 m. to point 207;
thence: N 15 deg. 57 min. E	250.48 m. to point 208;
thence: N 77 deg. 29 min. E	226.78 m. to point 209;
thence: N 42 deg. 17 min. E	258.25 m. to point 210;
thence: N 76 deg. 31 min. E	236.42 m. to point 211;
thence: N 25 deg. 54 min. E	137.33 m. to point 212;
thence: N 89 deg. 44 min. E	224.98 m. to point 213;
thence: S 82 deg. 13 min. E	221.81 m. to point 214;

thence: N 88 deg. 56 min. E	221.54 m. to point 215;
thence: S 88 deg. 47 min. E	200.31 m. to point 216;
thence: S 84 deg. 46 min. E	218.23 m. to point 217;
thence: N 25 deg. 17 min. E	154.79 m. to point 218;
thence: N 15 deg. 51 min. W	238.04 m. to point 219;
thence: N 12 deg. 30 min. E	184.37 m. to point 220;
thence: S 88 deg. 13 min. E	190.15 m. to point 221;
thence: N 58 deg. 18 min. E	258.65 m. to point 222;
thence: S 61 deg. 33 min. E	250.08 m. to point 223;
thence: N 72 deg. 38 min. E	231.63 m. to point 224;
thence: N 80 deg. 32 min. E	304.13 m. to point 225;
thence: S 78 deg. 56 min. E	202.67 m. to point 226;
thence: S 67 deg. 56 min. E	346.46 m. to point 227;
thence: S 75 deg. 10 min. E	433.48 m. to point 228;
thence: N 39 deg. 20 min. E	143.55 m. to point 229;
thence: N 31 deg. 47 min. W	247.23 m. to point 230;
thence: N 36 deg. 44 min. E	199.46 m. to point 231;
thence: N 10 deg. 24 min. E	284.87 m. to point 232;
thence: N 54 deg. 31 min. W	221.64 m. to point 233;
thence: S 80 deg. 1 min. W	222.99 m. to point 234;
thence: N 43 deg. 17 min. W	219.49 m. to point 235;
thence: N 4 deg. 40 min. E	249.73 m. to point 236;
thence: N 13 deg. 58 min. W	331.17 m. to point 237;
thence: N 73 deg. 29 min. W	210.37 m. to point 238;
thence: N 78 deg. 24 min. W	248.74 m. to point 239;
thence: S 78 deg. 35 min. W	199.68 m. to point 240;
thence: N 73 deg. 19 min. W	360.34 m. to point 241;
thence: S 63 deg. 56 min. W	182.61 m. to point 242;
thence: S 6 deg. 15 min. E	184.13 m. to point 243;
thence: S 72 deg. 54 min. W	142.16 m. to point 244;
thence: N 82 deg. 14 min. W	252.39 m. to point 245;
thence: N 83 deg. 7 min. W	175.02 m. to point 246;
thence: S 10 deg. 27 min. W	172.82 m. to point 247;
thence: S 31 deg. 54 min. W	225.02 m. to point 248;
thence: S 85 deg. 31 min. E	170.74 m. to point 249;
thence: S 11 deg. 49 min. W	193.82 m. to point 250;
thence: S 82 deg. 25 min. W	379.92 m. to point 251;
thence: N 71 deg. 16 min. W	654.25 m. to point 252;
thence: S 61 deg. 54 min. W	214.65 m. to point 253;

thence: S 44 deg. 32 min. W	63.32 m. to point 254;
thence: S 56 deg. 39 min. W	436.48 m. to point 255;
thence: N 48 deg. 45 min. W	241.87 m. to point 256;
thence: N 4 deg. 8 min. W	201.42 m. to point 257;
thence: N 19 deg. 20 min. E	169.34 m. to point 258;
thence: N 13 deg. 50 min. W	216.40 m. to point 259;
thence: N 7 deg. 6 min. W	347.44 m. to point 260;
thence: N 69 deg. 5 min. W	236.01 m. to point 261;
thence: S 35 deg. 18 min. W	398.54 m. to point 262;
thence: S 60 deg. 12 min. W	230.48 m. to point 263;
thence: N 83 deg. 16 min. W	1031.51 m. to point of;

beginning; containing an area of ONE THOUSAND SEVEN HUNDRED FORTY-THREE (1,743) hectares more or less.

PARCEL IV

Beginning at a point marked “1” on plan being N. 87 deg. 54' W. 10.127.06 m from BLLM # 1. Pls-738-D Bobon. Public Land Subdivision. Bobon, Northern Samar

thence: N 63 deg. 3 min. W	362.76 m. to point 2;
thence: N 81 deg. 59 min. W	226.42 m. to point 3;
thence: N 67 deg. 18 min. W	146.85 m. to point 4;
thence: N 42 deg. 28 min. E	156.12 m. to point 5;
thence: N 50 deg. 39 min. E	273.64 m. to point 6;
thence: N 37 deg. 24 min. E	376.57 m. to point 7;
thence: N 1 deg. 15 min. W	466.47 m. to point 8;
thence: N 35 deg. 30 min. W	346.14 m. to point 9;
thence: N 13 deg. 22 min. E	168.54 m. to point 10;
thence: N 76 deg. 53 min. E	256.56 m. to point 11;
thence: S 71 deg. 1 min. E	227.01 m. to point 12;
thence: N 73 deg. 16 min. E	223.25 m. to point 13;
thence: S 62 deg. 20 min. E	113.19 m. to point 14;
thence: S 15 deg. 1 min. W	1810.50 m. to point of;

beginning; containing an area of NINETY-TWO (92) hectares more or less.

PARCEL V

Beginning at a point marked “1” on plan being N. 72 deg. 38’ W. 7.587.14 m from BLLM # 1. Pls-857-D. Catarman Public Land Subdivision. Catarman Northern Samar.

thence: S 85 deg. 33 min. E	214.25 m. to point 2;
thence: S 45 deg. 15 min. E	247.04 m. to point 3;
thence: S 45 deg. 20 min. W	338.00 m. to point 4;
thence: N 17 deg. 26 min. W	47.22 m. to point 5;
thence: N 03 deg. 09 min. E	136.48 m. to point 6;
thence: N 73 deg. 13 min. W	300.59 m. to point 7;
thence: N 15 deg. 32 min. W	221.00 m. to point 8;
thence: N 87 deg. 23 min. W	252.17 m. to point 9;
thence: N 54 deg. 35 min. W	100.00 m. to point 10;
thence: N 73 deg. 44 min. E	239.44 m. to point 11;
thence: N 64 deg. 50 min. E	179.78 m. to point 12;
thence: N 42 deg. 20 min. E	216.43 m. to point of;

beginning; containing an area of FIFTEEN (15) hectares more or less.

PARCEL VI

Beginning at a point marked “1” on plan being N. 47 deg. 01’ E. 6.106.13 m from BLLM # 1. Pls-857-D Catarman Public Subdivision. Catarman, Northern Samar.

thence: N 27 deg. 10 min. E	288.71 m. to point 2;
thence: N 45 deg. 36 min. E	378.70 m. to point 3;
thence: N 9 deg. 53 min. W	170.92 m. to point 4;
thence: S 81 deg. 20 min. E	123.92 m. to point 5;
thence: S 23 deg. 51 min. E	111.81 m. to point 6;
thence: N 72 deg. 56 min. E	199.20 m. to point 7;
thence: S 63 deg. 15 min. E	59.09 m. to point 8;
thence: N 44 deg. 18 min. E	22.02 m. to point 9;
thence: S 86 deg. 47 min. E	68.97 m. to point 10;
thence: N 24 deg. 10 min. E	34.07 m. to point 11;

thence: N 73 deg. 0 min. E	48.62 m. to point 12;
thence: S 8 deg. 34 min. E	12.54 m. to point 13;
thence: N 74 deg. 32 min. E	44.58 m. to point 14;
thence: S 34 deg. 25 min. E	18.51 m. to point 15;
thence: N 47 deg. 20 min. E	89.08 m. to point 16;
thence: N 30 deg. 14 min. W	24.68 m. to point 17;
thence: N 85 deg. 16 min. E	68.57 m. to point 18;
thence: N 69 deg. 48 min. E	55.25 m. to point 19;
thence: N 28 deg. 46 min. W	16.06 m. to point 20;
thence: N 24 deg. 20 min. E	30.79 m. to point 21;
thence: S 26 deg. 27 min. E	280.17 m. to point 22;
thence: S 88 deg. 52 min. W	20.19 m. to point 23;
thence: S 51 deg. 24 min. W	52.87 m. to point 24;
thence: S 14 deg. 0 min. W	51.86 m. to point 25;
thence: S 57 deg. 28 min. W	75.16 m. to point 26;
thence: S 2 deg. 05 min. W	385.96 m. to point 27;
thence: S 31 deg. 40 min. E	191.85 m. to point 28;
thence: S 55 deg. 46 min. W	247.36 m. to point 29;
thence: S 5 deg. 12 min. E	206.95 m. to point 30;
thence: S 4 deg. 38 min. E	203.62 m. to point 31;
thence: S 42 deg. 13 min. W	246.32 m. to point 32;
thence: S 8 deg. 44 min. W	144.17 m. to point 33;
thence: S 17 deg. 29 min. W	225.86 m. to point 34;
thence: S 16 deg. 25 min. W	271.99 m. to point 35;
thence: S 87 deg. 24 min. W	126.95 m. to point 36;
thence: S 17 deg. 01 min. W	52.10 m. to point 37;
thence: S 11 deg. 53 min. W	86.06 m. to point 38;
thence: S 85 deg. 27 min. W	154.09 m. to point 39;
thence: S 21 deg. 06 min. W	88.84 m. to point 40;
thence: S 33 deg. 47 min. E	264.50 m. to point 41;
thence: S 56 deg. 14 min. E	285.01 m. to point 42;
thence: S 54 deg. 18 min. E	148.20 m. to point 43;
thence: S 12 deg. 32 min. W	94.45 m. to point 44;
thence: S 40 deg. 13 min. E	143.85 m. to point 45;
thence: S 12 deg. 57 min. E	173.79 m. to point 46;
thence: S 15 deg. 18 min. E	145.03 m. to point 47;
thence: S 62 deg. 23 min. W	81.10 m. to point 48;
thence: S 36 deg. 59 min. E	89.75 m. to point 49;
thence: S 75 deg. 15 min. W	157.97 m. to point 50;

thence: S 15 deg. 24 min. E	203.05 m. to point 51;
thence: S 32 deg. 2 min. W	148.96 m. to point 52;
thence: N 83 deg. 30 min. E	91.21 m. to point 53;
thence: S 48 deg. 59 min. E	117.39 m. to point 54;
thence: S 18 deg. 15 min. E	250.69 m. to point 55;
thence: S 73 deg. 31 min. E	305.27 m. to point 56;
thence: S 13 deg. 20 min. E	216.98 m. to point 57;
thence: S 28 deg. 36 min. E	449.70 m. to point 58;
thence: S 10 deg. 33 min. W	544.10 m. to point 59;
thence: S 8 deg. 48 min. W	329.13 m. to point 60;
thence: N 69 deg. 52 min. W	202.99 m. to point 61;
thence: N 67 deg. 46 min. W	243.02 m. to point 62;
thence: N 23 deg. 52 min. E	260.81 m. to point 63;
thence: N 28 deg. 11 min E	318.38 m. to point 64;
thence: S 85 deg. 9 min. W	132.54 m. to point 65;
thence: S 45 deg. 23 min. W	214.39 m. to point 66;
thence: S 86 deg. 5 min. W	245.91 m. to point 67;
thence: N 16 deg. 16 min. E	255.78 m. to point 68;
thence: S 82 deg. 8 min. W	197.56 m. to point 69;
thence: S 14 deg. 0 min. W	291.74 m. to point 70;
thence: S 73 deg. 5 min. W	204.19 m. to point 71;
thence: N 28 deg. 20 min. W	342.21 m. to point 72;
thence: N 3 deg. 27 min. W	221.59 m. to point 73;
thence: S 70 deg. 1 min. W	229.15 m. to point 74;
thence: N 21 deg. 11 min. W	250.40 m. to point 75;
thence: N 70 deg. 55 min. E	319.99 m. to point 76;
thence: N 30 deg. 24 min. W	498.41 m. to point 77;
thence: S 67 deg. 47 min. W	258.87 m. to point 78;
thence: N 88 deg. 27 min. W	217.69 m. to point 79;
thence: N 10 deg. 16 min. E	267.26 m. to point 80;
thence: N 28 deg. 24 min. E	396.35 m. to point 81;
thence: N 63 deg. 1 min. E	239.26 m. to point 82;
thence: N 21 deg. 10 min. W	365.91 m. to point 83;
thence: N 12 deg. 52 min. W	207.64 m. to point 84;
thence: N 39 deg. 40 min. E	182.65 m. to point 85;
thence: N 67 deg. 11 min. E	360.05 m. to point 86;
thence: N 15 deg. 9 min. E	336.44 m. to point 87;
thence: N 12 deg. 11 min. E	295.10 m. to point 88;
thence: N 35 deg. 21 min. W	255.56 m. to point 89;

thence: N 24 deg. 5 min. E	256.03 m. to point 90;
thence: N 8 deg. 31 min. W	244.45 m. to point 91;
thence: N 45 deg. 38 min. E	235.21 m. to point 92;
thence: N 69 deg. 47 min. W	137.56 m. to point 93;
thence: N 17 deg. 39 min. W	240.08 m. to point 94;
thence: N 39 deg. 10 min. W	247.30 m. to point 95;
thence: S 72 deg. 11 min. W	166.82 m. to point 96;
thence: N 51 deg. 45 min. W	47.40 m. to point 97;
thence: S 35 deg. 20 min. W	100.00 m. to point 98;
thence: S 88 deg. 41 min. W	48.07 m. to point 99;
thence: S 5 deg. 53 min. W	273.16 m. to point 100;
thence: S 51 deg. 14 min. W	183.44 m. to point 101;
thence: S 70 deg. 42 min. W	192.52 m. to point 102;
thence: S 5 deg. 49 min. W	362.75 m. to point 103;
thence: S 26 deg. 58 min. W	218.59 m. to point 104;
thence: S 22 deg. 56 min. W	109.33 m. to point 105;
thence: S 7 deg. 45 min. W	333.80 m. to point 106;
thence: S 23 deg. 9 min. W	347.37 m. to point 107;
thence: S 3 deg. 39 min. W	290.69 m. to point 108;
thence: N 73 deg. 39 min. W	288.59 m. to point 109;
thence: S 9 deg. 58 min. E	146.75 m. to point 110;
thence: S 33 deg. 36 min. E	238.72 m. to point 111;
thence: S 18 deg. 52 min. E	297.45 m. to point 112;
thence: S 5 deg. 35 min. E	243.31 m. to point 113;
thence: S 75 deg. 48 min. W	355.72 m. to point 114;
thence: S 31 deg. 39 min. W	255.66 m. to point 115;
thence: N 70 deg. 6 min. W	213.68 m. to point 116;
thence: S 75 deg. 48 min. W	211.00 m. to point 117;
thence: N 49 deg. 24 min. W	243.53 m. to point 118;
thence: N 33 deg. 49 min. W	288.52 m. to point 119;
thence: N 25 deg. 58 min. W	198.57 m. to point 120;
thence: S 62 deg. 42 min. W	147.40 m. to point 121;
thence: S 47 deg. 55 min. W	202.65 m. to point 122;
thence: N 59 deg. 27 min. W	209.52 m. to point 123;
thence: N 19 deg. 4 min. W	243.10 m. to point 124;
thence: N 50 deg. 17 min. W	225.73 m. to point 125;
thence: N 21 deg. 8 min. W	50.20 m. to point 126;
thence: N 5 deg. 9 min. W	45.30 m. to point 127;
thence: N 21 deg. 56 min. E	68.45 m. to point 128;

thence: S 78 deg. 32 min. E	224.06 m. to point 129;
thence: S 78 deg. 47 min. E	45.71 m. to point 130;
thence: S 32 deg. 23 min. W	101.76 m. to point 131;
thence: S 3 deg. 54 min. E	80.35 m. to point 132;
thence: S 28 deg. 49 min. E	138.10 m. to point 133;
thence: S 58 deg. 23 min. E	24.07 m. to point 134;
thence: N 80 deg. 57 min. E	46.92 m. to point 135;
thence: S 46 deg. 18 min. E	107.49 m. to point 136;
thence: N 77 deg. 47 min. E	43.46 m. to point 137;
thence: N 54 deg. 23 min. E	200.85 m. to point 138;
thence: N 31 deg. 5 min. W	25.04 m. to point 139;
thence: N 19 deg. 13 min. E	303.85 m. to point 140;
thence: N 18 deg. 43 min. W	183.44 m. to point 141;
thence: N 27 deg. 44 min. E	75.00 m. to point 142;
thence: N 28 deg. 36 min. W	289.22 m. to point 143;
thence: N 48 deg. 40 min. E	75.89 m. to point 144;
thence: N 67 deg. 28 min. E	352.84 m. to point 145;
thence: N 64 deg. 14 min. E	80.62 m. to point 146;
thence: N 47 deg. 24 min. E	100.21 m. to point 147;
thence: N 62 deg. 54 min. E	131.02 m. to point 148;
thence: N 6 deg. 2 min. E	89.33 m. to point 149;
thence: N 10 deg. 25 min. W	66.54 m. to point 150;
thence: S 81 deg. 21 min. E	234.90 m. to point 151;
thence: N 7 deg. 02 min. E	98.90 m. to point 152;
thence: N 16 deg. 55 min. E	199.55 m. to point 153;
thence: N 88 deg. 05 min. E	65.39 m. to point 154;
thence: N 13 deg. 56 min. W	83.60 m. to point 155;
thence: N 80 deg. 12 min. E	163.35 m. to point 156;
thence: N 77 deg. 48 min. E	131.05 m. to point 157;
thence: S 59 deg. 27 min. E	124.69 m. to point 158;
thence: N 9 deg. 44 min. W	82.56 m. to point 159;
thence: N 6 deg. 44 min. E	27.31 m. to point 160;
thence: N 47 deg. 15 min. E	77.19 m. to point 161;
thence: N 45 deg. 46 min. E	6.82 m. to point 162;
thence: S 89 deg. 55 min. E	44.77 m. to point 163;
thence: N 52 deg. 58 min. E	154.64 m. to point 164;
thence: N 21 deg. 27 min. E	31.14 m. to point 165;
thence: S 81 deg. 45 min. E	92.25 m. to point 166;
thence: N 23 deg 7 min. E	54.72 m. to point 167;

thence: N 6 deg. 49 min. E	311.50 m. to point 168;
thence: N 57 deg. 21 min. E	392.66 m. to point 169;
thence: S 63 deg. 2 min. E	170.76 m. to point 170;
thence: N 35 deg. 20 min. E	100.00 m. to point 171;
thence: N 37 deg. 20 min. E	88.13 m. to point of;

beginning, containing an area of SEVEN HUNDRED NINETY NINE (799) hectares more or less. prcd

PARCEL VII

Beginning at a point marked “1” on plan being S. 14 deg. 54' E. 7.036.22 m from BLLM # 1. Pls-857-D. Catarman Public Land Subdivision. Catarman, Northern Samar.

thence: N 84 deg. 31 min. W	182.93 m. to point 2;
thence: N 63 deg. 18 min. W	293.92 m. to point 3;
thence: N 58 deg. 28 min. W	226.98 m. to point 4;
thence: S 21 deg. 31 min. E	350.60 m. to point 5;
thence: S 17 deg. 6 min. E	122.08 m. to point 6;
thence: S 17 deg. 42 min. E	52.93 m. to point 7;
thence: S 5 deg. 33 min. W	119.55 m. to point 8;
thence: S 54 deg. 27 min. E	39.76 m. to point 9;
thence: S 59 deg. 33 min. W	26.60 m. to point 10;
thence: S 64 deg. 24 min. E	10.41 m. to point 11;
thence: S 77 deg. 9 min. W	48.46 m. to point 12;
thence: N 49 deg. 15 min. W	110.51 m. to point 13;
thence: S 24 deg. 7 min. W	201.64 m. to point 14;
thence: S 18 deg. 12 min. E	70.14 m. to point 15;
thence: S 41 deg. 38 min. W	219.14 m. to point 16;
thence: S 51 deg. 31 min. E	15.27 m. to point 17;
thence: S 36 deg. 28 min. E	55.34 m. to point 18;
thence: N 83 deg. 25 min. W	27.11 m. to point 19;
thence: S 14 deg. 20 min. E	234.31 m. to point 20;
thence: S 22 deg. 15 min. W	246.68 m. to point 21;
thence: S 48 deg. 20 min. W	275.81 m. to point 22;
thence: S 2 deg. 29 min. W	236.14 m. to point 23;
thence: S 10 deg. 16 min. W	76.45 m. to point 24;

thence: S 82 deg. 52 min. E 210.80 m. to point 25;
 thence: S 51 deg. 28 min. W 130.34 m. to point 26;
 thence: S 1 deg. 33 min. W 142.87 m. to point 27;
 thence: S 0 deg. 11 min. E 57.43 m. to point 28;
 thence: S 22 deg. 58 min. W 234.80 m. to point 29;
 thence: S 66 deg. 40 min. W 284.76 m. to point 30;
 thence: S 70 deg. 24 min. W 261.30 m. to point 31;
 thence: S 89 deg. 58 min. W 124.21 m. to point 32;
 thence: S 72 deg. 51 min. W 120.11 m. to point 33;
 thence: S 42 deg. 20 min. W 59.52 m. to point 34;
 thence: S 50 deg. 3 min. W 61.11 m. to point 35;
 thence: N 74 deg. 36 min. W 84.36 m. to point 36;
 thence: N 30 deg. 59 min. W 66.12 m. to point 37;
 thence: N 80 deg. 49 min. W 163.74 m. to point 38;
 thence: N 84 deg. 18 min. W 269.54 m. to point 39;
 thence: S 10 deg. 36 min. E 326.65 m. to point 40;
 thence: S 74 deg. 7 min. W 95.26 m. to point 41;
 thence: S 40 deg. 03 min. W 127.88 m. to point 42;
 thence: S 43 deg. 05 min. W 124.32 m. to point 43;
 thence: S 80 deg. 51 min. W 57.31 m. to point 45;
 thence: S 26 deg. 05 min. E 52.16 m. to point 46;
 thence: S 10 deg. 41 min. W 157.18 m. to point 47;
 thence: S 29 deg. 50 min. W 345.81 m. to point 48;
 thence: N 8 deg. 38 min. W 110.51 m. to point 49;
 thence: S 71 deg. 10 min. W 150.52 m. to point 50;
 thence: S 65 deg. 15 min. W 109.51 m. to point 51;
 thence: S 6 deg. 4 min. W 95.26 m. to point 52;
 thence: S 17 deg. 23 min. E 81.79 m. to point 53;
 thence: S 70 deg. 5 min. W 57.85 m. to point 54;
 thence: S 66 deg. 9 min. W 57.16 m. to point 55;
 thence: N 3 deg. 33 min. W 61.14 m. to point 56;
 thence: N 76 deg. 23 min. W 25.03 m. to point 57;
 thence: S 64 deg. 5 min. W 31.03 m. to point 58;
 thence: N 58 deg. 55 min. W 23.65 m. to point 59;
 thence: S 36 deg. 5 min. W 42.49 m. to point 60;
 thence: S 87 deg. 55 min. W 51.68 m. to point 61;
 thence: S 3 deg. 50 min. E 43.77 m. to point 62;
 thence: S 77 deg. 35 min. E 68.02 m. to point 63;
 thence: N 88 deg. 1 min. E 7.80 m. to point 64;

thence: S 56 deg. 18 min. E	47.88 m. to point 65;
thence: S 34 deg. 39 min. E	36.39 m. to point 66;
thence: S 64 deg. 7 min. W	17.83 m. to point 67;
thence: S 24 deg. 52 min. W	33.29 m. to point 68;
thence: S 58 deg. 35 min. E	12.40 m. to point 69;
thence: S 3 deg. 17 min. E	21.29 m. to point 70;
thence: S 36 deg. 42 min. E	35.24 m. to point 71;
thence: S 8 deg. 43 min. E	47.15 m. to point 72;
thence: S 21 deg. 16 min. W	30.05 m. to point 73;
thence: N 87 deg. 16 min. W	35.99 m. to point 74;
thence: N 36 deg. 12 min. W	32.95 m. to point 75;
thence: N 14 deg. 41 min. W	31.10 m. to point 76;
thence: N 56 deg. 24 min. W	14.87 m. to point 77;
thence: S 13 deg. 48 min. W	44.67 m. to point 78;
thence: S 44 deg. 14 min. W	187.24 m. to point 79;
thence: S 74 deg. 46 min. W	82.47 m. to point 80;
thence: S 58 deg. 15 min. W	37.06 m. to point 81;
thence: S 77 deg. 55 min. W	21.11 m. to point 82;
thence: N 17 deg. 43 min. W	59.25 m. to point 83;
thence: N 52 deg. 46 min. W	22.34 m. to point 84;
thence: S 26 deg. 25 min. W	118.91 m. to point 85;
thence: S 35 deg. 19 min. W	39.25 m. to point 86;
thence: S 3 deg. 1 min. W	13.47 m. to point 87;
thence: S 86 deg. 8 min. W	62.06 m. to point 88;
thence: N 14 deg. 33 min. E	59.31 m. to point 89;
thence: S 64 deg. 27 min. W	59.35 m. to point 90;
thence: S 4 deg. 7 min. W	34.16 m. to point 91;
thence: S 24 deg. 55 min. E	17.11 m. to point 92;
thence: N 66 deg. 21 min. W	59.18 m. to point 93;
thence: S 0 deg. 28 min. E	274.78 m. to point 94;
thence: S 2 deg. 6 min. E	292.00 m. to point 95;
thence: S 19 deg. 2 min. E	100.44 m. to point 96;
thence: S 22 deg. 42 min. E	63.54 m. to point 97;
thence: S 14 deg. 22 min. W	224.00 m. to point 98;
thence: S 0 deg. 29 min. W	115.42 m. to point 99;
thence: S 56 deg. 37 min. W	17.98 m. to point 100;
thence: S 88 deg. 45 min. W	64.94 m. to point 101;
thence: S 14 deg. 57 min. W	77.35 m. to point 102;
thence: N 40 deg. 1 min. W	36.92 m. to point 103;

thence: S 65 deg. 6 min. W	71.65 m. to point 104;
thence: N 83 deg. 40 min. W	41.26 m. to point 105;
thence: N 69 deg. 48 min. W	50.96 m. to point 106;
thence: S 59 deg. 13 min. W	50.95 m. to point 107;
thence: S 7 deg. 20 min. E	18.94 m. to point 108;
thence: N 82 deg. 36 min. W	50.51 m. to point 109;
thence: N 62 deg. 19 min. W	105.25 m. to point 110;
thence: N 18 deg. 57 min. E	31.14 m. to point 111;
thence: N 39 deg. 5 min. E	71.37 m. to point 112;
thence: N 33 deg. 4 min. W	40.03 m. to point 113;
thence: N 83 deg. 12 min. W	106.68 m. to point 114;
thence: N 48 deg. 14 min. W	51.42 m. to point 115;
thence: N 36 deg. 32 min. W	43.82 m. to point 116;
thence: N 42 deg. 29 min. W	19.32 m. to point 117;
thence: N 44 deg. 52 min. W	20.65 m. to point 118;
thence: N 57 deg. 47 min. W	11.89 m. to point 119;
thence: N 41 deg. 16 min. W	5.75 m. to point 120;
thence: N 0 deg. 5 min. W	7.36 m. to point 121;
thence: N 49 deg. 4 min. W	11.46 m. to point 122;
thence: N 41 deg. 7 min. W	6.89 m. to point 123;
thence: N 32 deg. 54 min. W	12.96 m. to point 124;
thence: N 27 deg. 27 min. W	6.92 m. to point 125;
thence: N 63 deg. 18 min. E	5.50 m. to point 126;
thence: N 88 deg. 30 min. E	6.11 m. to point 127;
thence: S 86 deg. 53 min. E	18.94 m. to point 128;
thence: N 12 deg. 6 min. W	29.05 m. to point 129;
thence: N 33 deg. 55 min. W	9.16 m. to point 130;
thence: N 17 deg. 47 min. E	43.33 m. to point 131;
thence: N 43 deg. 49 min. W	44.14 m. to point 132;
thence: N 49 deg. 32 min. E	28.49 m. to point 133;
thence: N 79 deg. 18 min. W	16.15 m. to point 134;
thence: N 45 deg. 26 min. W	35.50 m. to point 135;
thence: N 21 deg. 5 min. E	61.59 m. to point 136;
thence: S 89 deg. 38 min. W	29.78 m. to point 137;
thence: N 32 deg. 11 min. W	5.80 m. to point 138;
thence: N 15 deg. 44 min. E	29.93 m. to point 139;
thence: N 25 deg. 46 min. W	22.74 m. to point 140;
thence: N 55 deg. 37 min. E	24.63 m. to point 141;
thence: N 41 deg. 6 min. W	81.58 m. to point 142;

thence: N 41 deg. 19 min. E	145.77 m. to point 143;
thence: N 71 deg. 26 min. E	54.13 m. to point 144;
thence: N 64 deg. 52 min. W	158.65 m. to point 145;
thence: N 4 deg. 34 min. W	130.67 m. to point 146;
thence: S 27 deg. 34 min. W	254.70 m. to point 147;
thence: S 13 deg. 10 min. W	46.65 m. to point 148;
thence: S 56 deg. 31 min. W	270.85 m. to point 149;
thence: S 31 deg. 27 min. W	208.37 m. to point 150;
thence: N 51 deg. 40 min. W	302.53 m. to point 151;
thence: N 46 deg. 10 min. W	97.79 m. to point 152;
thence: S 74 deg. 14 min. W	169.18 m. to point 153;
thence: S 30 deg. 58 min. W	112.95 m. to point 154;
thence: S 61 deg. 4 min. W	393.28 m. to point 155;
thence: N 89 deg. 15 min. E	74.12 m. to point 156;
thence: S 61 deg. 54 min. E	151.66 m. to point 157;
thence: S 20 deg. 13 min. E	62.74 m. to point 158;
thence: S 41 deg. 8 min. W	57.14 m. to point 159;
thence: S 30 deg. 57 min. W	54.99 m. to point 160;
thence: S 77 deg. 55 min. W	124.84 m. to point 161;
thence: N 85 deg. 28 min. W	371.82 m. to point 162;
thence: N 71 deg. 14 min. W	420.24 m. to point 163;
thence: N 11 deg. 36 min. W	460.26 m. to point 164;
thence: N 75 deg. 19 min. E	457.01 m. to point 165;
thence: N 80 deg. 37 min. E	507.83 m. to point 166;
thence: N 86 deg. 46 min. E	277.24 m. to point 167;
thence: N 75 deg. 47 min. E	538.16 m. to point 168;
thence: N 88 deg. 41 min. E	330.15 m. to point 169;
thence: N 12 deg. 14 min. W	288.17 m. to point 170;
thence: N 7 deg. 54 min. E	299.85 m. to point 171;
thence: N 1 deg. 32 min. W	223.52 m. to point 172;
thence: N 17 deg. 35 min. E	197.32 m. to point 173;
thence: N 87 deg. 16 min. E	244.87 m. to point 174;
thence: S 73 deg. 20 min. E	284.03 m. to point 175;
thence: S 49 deg. 14 min. E	215.37 m. to point 176;
thence: N 48 deg. 32 min. E	395.25 m. to point 177;
thence: N 75 deg. 57 min. E	246.44 m. to point 178;
thence: N 56 deg. 16 min. E	451.67 m. to point 179;
thence: N 33 deg. 3 min. E	795.67 m. to point 180;
thence: N 13 deg. 59 min. E	579.94 m. to point 181;

thence: N 37 deg. 45 min. W	276.33 m. to point 182;
thence: N 30 deg. 27 min. E	233.67 m. to point 183;
thence: N 3 deg. 25 min. W	289.12 m. to point 184;
thence: N 42 deg. 54 min. E	261.49 m. to point 185;
thence: N 43 deg. 36 min. E	205.64 m. to point 186;
thence: N 46 deg. 31 min. E	260.24 m. to point 187;
thence: N 87 deg. 19 min. E	250.75 m. to point 188;
thence: N 13 deg. 39 min. E	289.44 m. to point 189;
thence: N 55 deg. 55 min. E	265.68 m. to point 190;
thence: N 62 deg. 38 min. W	346.14 m. to point 191;
thence: N 37 deg. 51 min. W	328.53 m. to point 192;
thence: N 20 deg. 47 min. E	447.84 m. to point 193;
thence: N 51 deg. 56 min. E	345.00 m. to point 194;
thence: S 34 deg. 50 min. E	366.81 m. to point 195;
thence: S 84 deg. 16 min. E	391.99 m. to point 196;
thence: S 68 deg. 42 min. E	224.89 m. to point 197;
thence: S 70 deg. 28 min. E	203.53 m. to point 198;
thence: N 55 deg. 46 min. E	264.48 m. to point 199;
thence: N 72 deg. 36 min. E	304.22 m. to point 200;
thence: S 16 deg. 21 min. W	251.43 m. to point 201;
thence: S 20 deg. 45 min. E	427.31 m. to point 202;
thence: S 6 deg. 14 min. E	80.07 m. to point of;

beginning; containing an area of EIGHT HUNDRED FORTY-SEVEN (847) hectares more or less.

PARCEL VIII

Beginning at a point marked "1" on plan being S 10 deg. 53'E 4.290.97 BLLM # 1. Pls-857-D. Catarman Public Land Subdivision, Catarman, Northern Samar.

thence: N 19 deg. 17 min. E	448.34 m. to point 2;
thence: N 57 deg. 23 min. E	466.90 m. to point 3;
thence: N 66 deg. 41 min. W	308.47 m. to point 4;
thence: N 71 deg. 3 min. W	270.36 m. to point 5;
thence: N 52 deg. 19 min. E	166.31 m. to point 6;
thence: N 69 deg. 56 min. E	347.80 m. to point 7;

thence: S 7 deg. 50 min. E	139.83 m. to point 8;
thence: S 16 deg. 5 min. E	70.00 m. to point 9;
thence: S 59 deg. 12 min. E	66.44 m. to point 10;
thence: S 55 deg. 6 min. E	364.44 m. to point 11;
thence: S 26 deg. 46 min. W	268.80 m. to point 12;
thence: S 44 deg. 0 min. E	83.97 m. to point 13;
thence: S 11 deg. 53 min. W	130.18 m. to point 14;
thence: S 74 deg. 9 min. W	61.43 m. to point 15;
thence: S 6 deg. 8 min. W	50.45 m. to point 16;
thence: S 9 deg. 35 min. W	180.00 m. to point 17;
thence: S 64 deg. 49 min. W	395.62 m. to point 18;
thence: N 59 deg. 40 min. W	362.74 m. to point of;

beginning; containing an area of SIXTY (60) hectares more or less.

PARCEL IX

Beginning at a point marked “1” on the plan being S. 77 deg. 36’ E. 7.631.42 from BLLM # 1. Pls-857-D. Catarman Public Land Subdivision. Catarman, Northern Samar.

thence: N 28 deg. 27 min. W	47.76 m. to point 2;
thence: N 89 deg. 9 min. W	140.95 m. to point 3;
thence: N 65 deg. 40 min. W	300.72 m. to point 4;
thence: N 21 deg. 39 min. E	247.12 m. to point 5;
thence: N 84 deg. 10 min. E	244.25 m. to point 6;
thence: S 59 deg. 21 min. E	259.56 m. to point 7;
thence: S 59 deg. 33 min. E	218.16 m. to point 8;
thence: N 33 deg. 2 min. E	272.83 m. to point 9;
thence: N 19 deg. 42 min. E	225.16 m. to point 10;
thence: N 58 deg. 31 min. E	206.28 m. to point 11;
thence: S 75 deg. 22 min. E	233.63 m. to point 12;
thence: S 15 deg. 26 min. E	271.27 m. to point 13;
thence: S 43 deg. 30 min. W	231.20 m. to point 14;
thence: S 53 deg. 3 min. E	224.03 m. to point 15;
thence: S 20 deg. 23 min. E	264.28 m. to point 16;
thence: S 7 deg. 20 min. E	220.83 m. to point 17;
thence: N 53 deg. 35 min. E	216.21 m. to point 18;

thence: N 12 deg. 32 min. E	258.51 m. to point 19;
thence: S 81 deg. 6 min. E	207.65 m. to point 20;
thence: S 78 deg. 54 min. E	197.59 m. to point 21;
thence: N 58 deg. 53 min. E	479.71 m. to point 22;
thence: N 44 deg. 47 min. E	319.31 m. to point 23;
thence: N 53 deg. 2 min. E	295.01 m. to point 24;
thence: N 17 deg. 18 min. W	277.81 m. to point 25;
thence: N 66 deg. 21 min. E	230.55 m. to point 26;
thence: N 84 deg. 7 min. E	278.11 m. to point 27;
thence: S 86 deg. 8 min. E	277.53 m. to point 28;
thence: N 87 deg. 58 min. E	237.13 m. to point 29;
thence: N 74 deg. 54 min. E	263.74 m. to point 30;
thence: S 69 deg. 40 min. E	324.65 m. to point 31;
thence: N 53 deg. 10 min. E	226.6 m. to point 32;
thence: N 86 deg. 24 min. E	347.47 m. to point 33;
thence: N 15 deg. 59 min. W	244.21 m. to point 34;
thence: N 57 deg. 4 min. E	107.93 m. to point 35;
thence: S 20 deg. 45 min. E	284.07 m. to point 36;
thence: S 22 deg. 46 min. E	488.78 m. to point 37;
thence: S 29 deg. 39 min. W	527.61 m. to point 38;
thence: S 53 deg. 49 min. E	779.85 m. to point 39;
thence: S 28 deg. 25 min. W	216.86 m. to point 40;
thence: N 49 deg. 30 min. W	253.86 m. to point 41;
thence: S 64 deg. 16 min. W	174.03 m. to point 42;
thence: N 12 deg. 43 min. W	216.28 m. to point 43;
thence: N 83 deg. 9 min. W	331.10 m. to point 44;
thence: S 85 deg. 43 min. W	260.69 m. to point 45;
thence: N 87 deg. 41 min. W	223.92 m. to point 46;
thence: N 66 deg. 51 min. W	278.18 m. to point 47;
thence: N 14 deg. 58 min. E	154.77 m. to point 48;
thence: N 32 deg. 9 min. E	299.85 m. to point 49;
thence: N 45 deg. 35 min. W	153.52 m. to point 50;
thence: S 88 deg. 28 min. W	150.90 m. to point 51;
thence: S 38 deg. 40 min. W	286.55 m. to point 52;
thence: S 86 deg. 33 min. W	252.98 m. to point 53;
thence: N 67 deg. 21 min. W	267.69 m. to point 54;
thence: S 22 deg. 4 min. E	370.10 m. to point 55;
thence: S 74 deg. 12 min. E	229.56 m. to point 56;
thence: S 10 deg. 47 min. W	218.62 m. to point 57;

thence: S 35 deg. 47 min. E	209.85 m. to point 58;
thence: S 45 deg. 22 min. E	236.81 m. to point 59;
thence: S 77 deg. 25 min. E	326.28 m. to point 60;
thence: S 78 deg. 40 min. E	154.82 m. to point 61;
thence: S 52 deg. 59 min. E	335.57 m. to point 62;
thence: S 10 deg. 32 min. E	110.14 m. to point 63;
thence: S 73 deg. 16 min. W	99.07 m. to point 64;
thence: S 85 deg. 18 min. W	255.08 m. to point 65;
thence: S 38 deg. 37 min. W	205.07 m. to point 66;
thence: S 48 deg. 14 min. W	210.27 m. to point 67;
thence: N 71 deg. 36 min. W	100.59 m. to point 68;
thence: N 55 deg. 15 min. W	225.12 m. to point 69;
thence: S 68 deg. 51 min. W	138.95 m. to point 70;
thence: S 23 deg. 58 min. W	436.89 m. to point 71;
thence: S 27 deg. 45 min. W	531.62 m. to point 72;
thence: N 71 deg. 22 min. W	417.20 m. to point 73;
thence: N 28 deg. 20 min. E	170.91 m. to point 74;
thence: N 22 deg. 35 min. W	212.85 m. to point 75;
thence: N 46 deg. 57 min. W	251.66 m. to point 76;
thence: N 68 deg. 39 min. W	236.76 m. to point 77;
thence: S 48 deg. 22 min. W	294.93 m. to point 78;
thence: N 80 deg. 54 min. W	282.22 m. to point 79;
thence: N 39 deg. 17 min. W	427.84 m. to point 80;
thence: N 27 deg. 1 min. E	180.36 m. to point 81;
thence: N 47 deg. 7 min. W	193.56 m. to point 82;
thence: S 44 deg. 27 min. W	206.75 m. to point 83;
thence: N 89 deg. 23 min. W	245.30 m. to point 84;
thence: S 11 deg. 20 min. W	198.06 m. to point 85;
thence: S 22 deg. 3 min. W	121.69 m. to point 86;
thence: S 64 deg. 32 min. W	163.53 m. to point 87;
thence: S 71 deg. 5 min. W	209.38 m. to point 88;
thence: S 88 deg. 54 min. W	239.76 m. to point 89;
thence: N 19 deg. 28 min. W	265.05 m. to point 90;
thence: N 8 deg. 19 min. W	294.13 m. to point 91;
thence: S 57 deg. 32 min. E	266.27 m. to point 92;
thence: N 19 deg. 45 min. E	369.55 m. to point 93;
thence: N 5 deg. 34 min. E	108.44 m. to point 94;
thence: N 48 deg. 6 min. W	33.80 m. to point 95;
thence: N 34 deg. 43 min. W	10.43 m. to point 96;

thence: N 44 deg. 15 min. W	268.16 m. to point 97;
thence: N 45 deg. 35 min. W	271.54 m. to point 98;
thence: N 6 deg. 57 min. E	221.24 m. to point of;

beginning; containing an area of EIGHT HUNDRED THIRTEEN (813) hectares more or less.

PARCEL X

Beginning at a point marked "1" on plan being N. 68 deg. 00' E. 11.108.42 m from BLLM # 1. Pls-857-D. Catarman, Northern Samar.

thence: S 19 deg. 19 min. E	366.61 m. to point 2;
thence: S 22 deg. 14 min. E	447.94 m. to point 3;
thence: N 69 deg. 51 min. W	104.05 m. to point 4;
thence: S 66 deg. 12 min. W	285.48 m. to point 5;
thence: S 61 deg. 56 min. W	203.59 m. to point 6;
thence: S 00 deg. 24 min. E	206.93 m. to point 7;
thence: S 15 deg. 44 min. E	248.40 m. to point 8;
thence: S 36 deg. 1 min. W	122.85 m. to point 9;
thence: S 44 deg. 41 min. W	222.77 m. to point 10;
thence: N 46 deg. 29 min. W	270.87 m. to point 11;
thence: N 62 deg. 51 min. W	181.39 m. to point 12;
thence: N 53 deg. 25 min. W	216.08 m. to point 13;
thence: N 69 deg. 11 min. W	242.59 m. to point 14;
thence: N 48 deg. 12 min. W	168.31 m. to point 15;
thence: N 57 deg. 21 min. W	240.29 m. to point 16;
thence: N 48 deg. 53 min. W	234.36 m. to point 17;
thence: N 42 deg. 56 min. W	243.33 m. to point 18;
thence: N 2 deg. 40 min. W	152.31 m. to point 19;
thence: N 32 deg. 41 min. W	176.56 m. to point 20;
thence: N 39 deg. 47 min. W	335.80 m. to point 21;
thence: N 74 deg. 41 min. E	120.43 m. to point 22;
thence: S 60 deg. 37 min. E	695.28 m. to point 23;
thence: N 4 deg. 51 min. W	473.62 m. to point 24;
thence: N 58 deg. 8 min. E	83.99 m. to point 25;
thence: N 55 deg. 4 min. W	147.77 m. to point 26;

thence: N 40 deg. 40 min. E	48.27 m. to point 27;
thence: N 43 deg. 42 min. W	318.54 m. to point 28;
thence: N 44 deg. 34 min. W	198.69 m. to point 29;
thence: N 18 deg. 53 min. E	261.88 m. to point 30;
thence: S 27 deg. 27 min. E	342.08 m. to point 31;
thence: S 62 deg. 55 min. E	369.02 m. to point 32;
thence: S 64 deg. 52 min. E	281.64 m. to point 33;
thence: S 38 deg. 13 min. E	329.04 m. to point 34;
thence: S 86 deg. 48 min. E	274.96 m. to point 35;
thence: S 50 deg. 30 min. E	222.17 m. to point 36;
thence: N 85 deg. 37 min. E	226.56 m. to point 37;
thence: N 66 deg. 43 min. E	160.94 m. to point of;

beginning; containing an area of TWO HUNDRED FIFTY (250) hectares more or less.

PARCEL XI

Beginning at a point marked “1” on the plan being N. 51 deg 07’ E. 9961.23 m from BLLM # 1. Pls-857-D, Catarman Public Land Subdivision.

thence: N 66 deg. 26 min. W	122.94 m. to point 2;
thence: N 74 deg. 43 min. W	180.89 m. to point 3;
thence: N 35 deg. 11 min. W	237.41 m. to point 4;
thence: S 86 deg. 58 min. W	126.53 m. to point 5;
thence: N 75 deg. 25 min. W	67.61 m. to point 6;
thence: N 28 deg. 10 min. W	39.86 m. to point 7;
thence: N 29 deg. 10 min. E	70.97 m. to point 8;
thence: N 23 deg. 49 min. W	166.05 m. to point 9;
thence: N 14 deg. 12 min. E	36.01 m. to point 10;
thence: N 62 deg. 29 min. E	80.55 m. to point 11;
thence: N 24 deg. 36 min. W	98.57 m. to point 12;
thence: N 51 deg. 2 min. E	137.47 m. to point 13;
thence: N 32 deg. 16 min. W	26.09 m. to point 14;
thence: N 21 deg. 10 min. W	29.21 m. to point 15;
thence: N 56 deg. 44 min. E	16.26 m. to point 16;
thence: N 27 deg. 5 min. E	24.80 m. to point 17;

thence: S 87 deg. 49 min. W	30.96 m. to point 18;
thence: N 9 deg. 56 min. E	35.64 m. to point 19;
thence: N 75 deg. 11 min. E	46.23 m. to point 20;
thence: N 85 deg. 4 min. E	11.64 m. to point 21;
thence: N 0 deg. 15 min. W	104.86 m. to point 22;
thence: N 14 deg. 28 min. E	133.50 m. to point 23;
thence: N 61 deg. 49 min. E	26.42 m. to point 24;
thence: N 44 deg. 19 min. W	31.15 m. to point 25;
thence: N 18 deg. 47 min. E	20.80 m. to point 26;
thence: N 57 deg. 37 min. W	14.53 m. to point 27;
thence: N 50 deg. 39 min. E	31.09 m. to point 28;
thence: S 79 deg. 16 min. E	17.67 m. to point 29;
thence: N 12 deg. 30 min. E	22.69 m. to point 30;
thence: N 41 deg. 5 min. W	18.04 m. to point 31;
thence: N 2 deg. 44 min. E	213.85 m. to point 32;
thence: N 46 deg. 18 min. W	246.52 m. to point 33;
thence: N 58 deg. 42 min. W	78.01 m. to point 34;
thence: N 74 deg. 59 min. W	218.53 m. to point 35;
thence: N 7 deg. 43 min. E	91.13 m. to point 36;
thence: N 87 deg. 36 min.. W	70.07 m. to point 37;
thence: N 68 deg. 10 min. W	86.29 m. to point 38;
thence: N 67 deg. 44 min. E	199.01 m. to point 39;
thence: S 59 deg. 36 min. E	174.92 m. to point 40;
thence: N 9 deg. 59 min. E	194.70 m. to point 41;
thence: S 87 deg. 34 min. E	51.87 m. to point 42;
thence: N 63 deg. 19 min. E	25.71 m. to point 43;
thence: S 65 deg. 15 min. E	20.69 m. to point 44;
thence: S 48 deg. 58 min. E	29.17 m. to point 45;
thence: N 80 deg. 50 min. E	27.25 m. to point 46;
thence: S 77 deg. 10 min. E	45.64 m. to point 47;
thence: S 1 deg. 8 min. E	17.27 m. to point 48;
thence: S 84 deg. 14 min. E	20.49 m. to point 49;
thence: N 83 deg. 14 min. W	70.19 m. to point 50;
thence: N 89 deg. 22 min. E	134.39 m. to point 51;
thence: N 30 deg. 3 min. E	68.90 m. to point 52;
thence: N 17 deg. 9 min. E	279.28 m. to point 53;
thence: N 38 deg. 8 min. W	364.22 m. to point 54;
thence: N 30 deg. 0 min. W	138.52 m. to point 55;
thence: N 4 deg. 15 min. W	356.45 m. to point 56;

thence: S 88 deg. 49 min. E	188.91 m. to point 57;
thence: N 85 deg. 23 min. E	87.28 m. to point 58;
thence: S 82 deg. 18 min. E	42.24 m. to point 59;
thence: N 36 deg. 22 min. E	142.75 m. to point 60;
thence: N 12 deg. 21 min. E	43.82 m. to point 61;
thence: N 35 deg. 48 min. E	22.48 m. to point 62;
thence: S 15 deg. 3 min. E	31.93 m. to point 63;
thence: N 61 deg. 4 min. E	160.21 m. to point 64;
thence: N 57 deg. 17 min. E	65.50 m. to point 65;
thence: N 67 deg. 30 min. W	65.33 m. to point 66;
thence: N 28 deg. 42 min. W	87.10 m. to point 67;
thence: N 78 deg. 40 min. W	27.39 m. to point 68;
thence: N 34 deg. 13 min. E	146.51 m. to point 69;
thence: S 68 deg. 20 min. E	22.19 m. to point 70;
thence: N 61 deg. 10 min. E	131.70 m. to point 71;
thence: S 28 deg. 10 min. E	946.20 m. to point 72;
thence: S 21 deg. 55 min. E	487.02 m. to point 73;
thence: S 22 deg. 48 min. E	515.71 m. to point 74;
thence: S 21 deg. 15 min. E	487.98 m. to point 75;
thence: S 26 deg. 57 min. W	189.66 m. to point 76;
thence: S 11 deg. 46 min. W	293.32 m. to point 77;
thence: S 44 deg. 37 min. W	227.08 m. to point 78;
thence: S 46 deg. 7 min. W	184.75 m. to point 79;
thence: N 84 deg. 40 min. W	334.19 m. to point 80;
thence: S 63 deg. 32 min. W	350.82 m. to point 81;
thence: N 68 deg. 9 min. W	227.85 m. to point 82;
thence: S 65 deg. 55 min. W	240.60 m. to point 83;
thence: S 28 deg. 59 min. E	436.07 m. to point 84;
thence: S 70 deg. 3 min. E	198.20 m. to point 85;
thence: S 13 deg. 46 min. W	102.25 m. to point of;

beginning; containing an area of THREE HUNDRED SEVENTY-TWO (372) hectares more or less.

PARCEL XII

Beginning at a point marked "1" on the plan being from N. 51 deg. 41' E. 9850.65 m from BLLM # 1, Pls-857-D, Catarman Public Land Subdivision.

thence: S 16 deg. 31 min. E	331.51 m. to point 2;
thence: S 0 deg. 41 min. W	212.07 m. to point 3;
thence: S 47 deg. 17 min. E	192.22 m. to point 4;
thence: S 12 deg. 14 min. W	136.69 m. to point 5;
thence: N 53 deg. 0 min. W	203.16 m. to point 6;
thence: N 46 deg. 20 min. W	11.85 m. to point 7;
thence: N 47 deg. 32 min. W	335.11 m. to point 8;
thence: S 69 deg. 12 min. W	101.23 m. to point 9;
thence: N 43 deg. 13 min. W	101.11 m. to point 10;
thence: N 36 deg. 20 min. E	236.53 m. to point 11;
thence: N 56 deg. 14 min. E	104.38 m. to point 12;
thence: N 45 deg. 2 min. E	213.53 m. to point of;

beginning; containing an area of NINETEEN (19) hectares more or less.

The Technical Description of the area covered by this Proclamation is subject to change as a result of the final survey and delineation on the ground and after consultations with affected local government units and communities. The Department of Agrarian Reform (DAR) shall provide funds for the conduct of the survey.

The following areas are hereby segregated from the coverage of this Proclamation and are deemed inalienable and may not be subject to titling:

1. All areas within the reservation which fall under the classification of timberland, forest lands and those covered by the National Integrated Protected Areas System;

2. All rivers and creeks; and

3. All bank protection requirements pursuant to the provisions of P.D. 705 otherwise known as the Revised Forestry Code of the Philippines, P.D. 1067 otherwise known as the Water Code of the Philippines, R.A. 1273, and other pertinent laws, rules and regulations.

Further, these areas are hereby reserved for environmental protection purposes.

The Department of Environment and Natural Resources shall retain jurisdiction over the portions covered by public land applications. All vested rights inside the reservation shall be respected.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the Republic of the Philippines to be affixed.

DONE in the City of Manila, this 22nd day of April, in the year of Our Lord, Nineteen Hundred and Ninety-Eight.

(Sgd.) FIDEL V. RAMOS

By the President:

(Sgd.) ALEXANDER P. AGUIRRE
Executive Secretary

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

PROCLAMATION NO. 1495-A, s. 1975

RESERVING FOR SETTLEMENT PURPOSES CERTAIN PARCELS OF LAND OF THE PUBLIC DOMAIN SITUATED IN THE MUNICIPALITIES OF KAROMATAN AND NUNUNGAN, PROVINCE OF LANAOS DEL NORTE UNDER THE ADMINISTRATION AND DISPOSITION OF THE DEPARTMENT OF AGRARIAN REFORM

WHEREAS, it is the declared policy of the State to provide a more vigorous and systematic land resettlement program and public land distribution in order to create a truly social and viable economic structure in agriculture;

WHEREAS, it is the duty of Government to uplift the economic well-being of our people, especially the less fortunate farmers who do not own their farm or who do not own sufficient land;

WHEREAS, there are Muslim farmers in Lanaos del Norte who were forced to abandon their homes and landholdings by reason of the subversive activities of some misguided elements of our society, as well as Muslim landless families who are victims of land grabbing by scrupulous individuals both Muslims and Christians;

WHEREAS, it is the policy and responsibility of the government to rehabilitate the lives of these unfortunate Muslims by providing them with lands and technical guidance in order to make them independent, self-reliant and responsible citizens of our country;

WHEREAS, a big tract of fertile agricultural public land,, classified and unclassified, located in the municipalities of Karomatan and Nunungan, Province of Lanaos del Norte, consisting

of 19,674 hectares, was found suitable for settlement purposes by the Bureau of Forest Development and the Department of Agrarian Reform.

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by law, and upon recommendation of the Secretary, Department of Agrarian Reform, with the concurrence of the Secretary of Natural Resources, do hereby reserve for settlement purposes under the administration and disposition of the Department of Agrarian Reform, subject to private rights, if any there be, and to the future classification and survey, certain parcels of land more particularly described as follows:

TECHNICAL DESCRIPTION OF
KAROMATAN-NUNUNGAN SETTLEMENT RESERVATION

A parcel of public land, proposed Karomatan-Nunungan Settlement Reservation, situated in the Municipalities of Karomatan-Nunungan, province of Lanao del Norte; Bounded on the southwest along lines from points 1-5, Municipality of Karomatan and on the west and north along points 5-8, Municipality of Sapad and on the north along points from 8-10, Municipality of Nunungan; and on the east and south along points 10-15 and 1, province of Lanao del Sur, to the point of beginning; N. 52 deg. 00' E; 3,700 meters from the junction of the National Highway and logging road going to sitio Coloy, Municipality of Nunungan, province of Lanao del Norte;

thence S. 83 deg. 00' W;	;600 m. to point "2";
thence N. 34 deg. 00' W;	2,800 m. to point "3";
thence N. 5 deg. 00' W;	1,500 m. to point "4";
thence Due west	1,850 m. to point "5";
thence Due north	5,800 m. to point "6";
thence N. 86 deg. 00' E;	4,100 m. to point "7";
thence N. 86 deg. 00' E;	4,350 m. to point "8";
thence S. 68 deg. 00' E;	3,750 m. to point "9";

thence N. 84 deg. 00' E;	5,450 m. to point "10";
thence S. 4 deg. 00' W;	10,000 m. to point "11";
thence N. 89 deg. 00' W;	4,100 m. to point "12";
thence N. 89 deg. 00' W;	600 m. to point "13",
thence N. 89 deg. 00' W;	9,450 m. to point "14";
thence S. 1 deg. 00' E;	500 m. to point "15";
thence S. 83 deg. 00' E;	490 m. to point of beginning;

containing an area of NINETEEN THOUSAND SIX HUNDRED SEVENTY FOUR (19,674) HECTARES, more or less. Date of boundary survey, January 15 to February 10, 1974 and marked on the ground X on tree 80 centimeters in diameter.

In order to facilitate the development of the area subject of this proclamation, the Department of Agrarian Reform is hereby allowed to cut the available timber in the area for its use in the development of the settlement, subject to forestry rules and regulations governing the matter.

The Secretary of Agrarian Reform is hereby authorized to issue patents to settlers who have complied with the requirements of the law pursuant to provisions of Section 51, sub-paragraph 9 of Republic Act 3844 as amended by Republic Act No. 6389.

IN WITNESS WHEREOF, I have hereunto set my hand and cause the seal of the Republic of the Philippines to be affixed.

Done in the City of Manila, this 11 day of September the year of our Lord, nineteen hundred and seventy-five.

(Sgd.) FERDINAND E. MARCOS

By the President:

(Sgd.) ROBERTO V. REYES
Acting Executive Secretary

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

PROCLAMATION NO. 1496, s. 1975

RESERVING FOR SETTLEMENT PURPOSES CERTAIN PARCELS OF LAND OF THE PUBLIC DOMAIN SITUATED IN THE MUNICIPALITIES OF MATANAO, MAGSAYSAY AND KIBLAWAN, PROVINCE OF DAVAO DEL SUR, AND MUNICIPALITY OF COLUMBIO, PROVINCE OF SULTAN KUDARAT, UNDER THE ADMINISTRATION AND DISPOSITION OF THE DEPARTMENT OF AGRARIAN REFORM

WHEREAS, it is the declared policy of the State to provide a more vigorous and systematic land resettlement program and public land distribution in order to create a truly social and viable economic structure in agriculture;

WHEREAS, it is the duty of the Government to uplift the economic well being of our people, especially the less fortunate farmers who do not own their farms or who do not own economic family size farms;

WHEREAS, it is the responsibility of the Government to provide the less fortunate farm-tillers with lands and technical guidance in order to make them independent, self-reliant and responsible citizens; and

WHEREAS, a big tract of fertile agricultural public land, classified and unclassified, located in the municipalities of Matanao, Magsaysay and Kiblawan, Province of Davao del Sur and in the municipality of Columbio, Province of Sultan Kudarat, consisting of TWENTY TWO THOUSAND (22,000) HECTARES, more or less,

was found suitable for settlement purposes by the Department of Agrarian Reform.

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by law, and upon recommendation of the Secretary, Department of Agrarian Reform, with the concurrence of the Secretary, Department of Natural Resources, do hereby reserve for settlement purposes under the administration and disposition of the Department of Agrarian Reform, subject to private rights, if any there be, and to the future classification and survey certain parcels of land more particularly described as follows:

TECHNICAL DESCRIPTION

A parcel of land, proposed Davao del Sur Settlement Reservation situated in the municipalities of Matanao, Kiblawan and Magsaysay, Province of Davao del Sur, and in the municipality of Columbio, Province of Sultan Kudarat.

Lines 1 to 2 – beginning at corner 1 which is located at creek intersection (refer to topo map No. 4040-III) at latitude 6 deg., 46 min., 35 sec. and longitude 125 deg., 04 min., 53 sec, thence following the Blocon creek downstream (Southeastward) until it joins Balatukan river, a distance of 12,000 meters;

Lines 2 to 3 – beginning at corner 2 which is a Bagac tree, 60 cm. in diameter at corner intersection of Blocon – Balatukan river, thence following Balatukan river downstream (Southeastward) until it intersects Maal river, a distance of 7,500 meters;

Lines 3 to 4 – beginning at corner 3 which is an Anilaw tree, 50 cm. in diameter at the intersection of Balatukan – Maal river, thence following Maal river upstream (Southwestward) until it reaches the northern most corner -(boundary Eugenio

de Jesus Cattle Ranch, Pasture Lease No. 1608), a distance of 4,500 meters

Lines 4 to 5 – beginning at corner 4 which is a wooden post, 20 cm. in diameter, thence following S. 51 deg., 00 min., E. along Northeastern boundary of Eugenio de Jesus Ranch until it intersects Paitan creek, a distance of 4,500 meters;

Lines 5 to 6 – beginning at corner 5 which is marked by a wooden stake at the western bunk of Paitan creek, thence following Paitan creek upstream (southwestward), a distance of 8,500 meters;

Lines 6 to 7 – beginning at corner 6 which is equal to corner 143 of PLS 1038, C-1, due west until it intersects Maal river, a distance of 1,600 meters;

Lines 7 to 8 – beginning at corner 7 which is a big rock at a Western bunk of Maal river and N. 76 deg., 00 min. W., a distance of 12,500 meters;

Lines 8 to 1 – beginning at corner 8 which is latitude 6 deg., 38 min., 00 sec. and longitude 125 deg., 02 min., 10 sec. to N. 12 deg., 30 min. E., a distance of 16,300 meters, containing an area of TWENTY TWO THOUSAND (22,000) HECTARES, more or less.

In order to facilitate the development of the area, subject of this proclamation, the Department of Agrarian Reform is hereby authorized to cut, remove and dispose of the available timberstand in the area to be used in the development of the settlement, subject to forestry laws, rules and regulations governing the matter.

The Secretary of Agrarian Reform is hereby authorized to issue patents to settlers who have complied with the requirements of the law pursuant to provisions of Section 51, sub-paragraph 9 of Republic Act No. 3844 as amended by Republic Act No. 6389.

IN WITNESS WHEREOF, I have hereunto set my hand and cause the seal of the Republic of the Philippines to be affixed.

Done in the City of Manila, this 11 day of September in the year of Our Lord, nineteen hundred and seventy five.

(Sgd.) FERDINAND E. MARCOS

By the President:

(Sgd.) ROBERTO V. REYES
Acting Executive Secretary

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

PROCLAMATION NO. 1497, s. 1975

RESERVING FOR SETTLEMENT PURPOSES CERTAIN PARCELS OF LAND OF THE PUBLIC DOMAIN SITUATED IN THE MUNICIPALITIES OF HINUNANGAN, SAN JUAN AND ST. BERNARD, PROVINCE OF SOUTHERN LEYTE UNDER THE ADMINISTRATION AND DISPOSITION OF THE DEPARTMENT OF AGRARIAN REFORM

WHEREAS, it is the declared policy of the State to provide a more vigorous land resettlement program in order to create a truly viable social and economic structure in agriculture;

WHEREAS, it is the duty of Government to uplift the economic well-being of our people, particularly the less fortunate farmers who do not own their farms or who are cultivating uneconomic farms or who have been displaced from their farms;

WHEREAS, it is the responsibility of Government to provide such farmers with lands and technical guidance and assistance to make them independent, self-reliant and responsible citizens; and

WHEREAS, a large tract of fertile agricultural public land, located in the municipalities of Hinunangan, San Juan and St. Bernard, province of Southern Leyte consisting of THIRTEEN THOUSAND (13,000) HECTARES more or less, was found to be available and suitable for settlement purposes.

NOW, THEREFORE, upon recommendation of the Secretary, Department of Natural Resources, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by law do hereby reserve for settlement purposes under the administration and disposition of the Department of Agrarian

Reform, subject to private rights if any there be and to the future classification and survey, that certain parcel of land more particularly described as follows:

“A parcel of land situated in the municipalities of Hinunangan, San Juan and St. Bernard, province of Southern Leyte, beginning at a point marked “1” on plan being latitude 10 degree 18’36” and longitude 125 deg. 12’27”

thence S. 28 deg. 27’W., 1,851.98 m. to point 2;
thence N. 74 deg. 26’W., 4,580.06 m. to point 3;
thence N. 49 deg. 51’W., 6,766.99 m. to point 4;
thence N. 3 deg. 27’W., 4,555.24 m. to point 5;
thence N. 13 deg. 41’E., 3,731.20 m. to point 6;
thence N. 49 deg. 37’W., 6,308.55 m. to point 7;
thence N. 45 deg. 28’E., 4,863.43 m. to point 8;
thence S. 51 deg. 16’E., 7,563.33 m. to point 9;
thence S. 7 deg. 34’W., 4,153.05 m. to point 10;
thence S. 59 deg. 06’E., 957.15 m. to point 11;
thence S. 26 deg. 01’E., 11, 452.70 m. to point of

beginning containing an approximate area of TWELVE THOUSAND SIX HUNDRED SEVENTY THREE (12,673) HECTARES, more or less.

In order to facilitate the development of the area subject of this proclamation, the Department of Agrarian Reform is hereby allowed to cut the available timber in the area for its use in the development of the Settlement, subject to forestry rules and regulations governing the matter.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the Republic of the Philippines to be affixed.

Done in the City of Manila, this 11 day of September in the year of Our Lord, nineteen hundred and seventy-five.

(Sgd.) FERDINAND E. MARCOS
President of the Philippines

By the President:

(Sgd.) ROBERTO V. REYES
Acting Executive Secretary

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

PROCLAMATION NO. 1498, s. 1975

RESERVING FOR SETTLEMENT PURPOSES UNDER THE ADMINISTRATION AND DISPOSITION OF THE DEPARTMENT OF AGRARIAN REFORM CERTAIN PARCELS OF LAND OF THE PUBLIC DOMAIN SITUATED IN THE MUNICIPALITIES OF DUPAX, PROVINCE OF NUEVA VIZCAYA AND MADDELA, PROVINCE OF QUIRINO, ISLAND OF LUZON, PHILIPPINES

WHEREAS, in this period of national reconstruction (economic and industrial) and global oil crisis, all projects be it public or private which generate energy for industrial and commercial use must be preserved and be operational at all times;

WHEREAS, statistics and past experiences show that during the summer months, the power output of these government projects are quite low thereby causing occasional electrical brownouts in some sector of Luzon and the principal cause of this power shortage is the lack of sufficient water necessary to generate electrical tribunes and household electrical power;

WHEREAS, it is of public knowledge that there are thousands of occupants, legal or illegal in the Ambuklao-Biñga Watershed areas, who have been there for quite a number of years and their method of land utilization for agricultural purposes has been the principal cause of the denudation of the reservation of its natural water conservation agents such as trees and other natural vegetation, soil erosion, floods during the rainy months and low water, supply during summer, including the continuous accumulation of silts on the river reservoirs;

WHEREAS, it is high time that the government adopts measures and make immediate steps to clear the Ambuklao-Biñga watershed reservations and all watershed reservations for the matter in the Philippines of occupants;

WHEREAS, on the other hand, it is believed that it is the moral obligation of government to relocate these occupants and provide them with lands to till;

WHEREAS, there is a big tract of public land both classified and unclassified, consisting of FORTY THOUSAND (40,000) HECTARES in the municipalities of Dupax, Province of Nueva Vizcaya, and Maddela, Province of Quirino, which is found suited for the purpose by the Department of Agrarian Reform and likewise recommended by the provincial governments of Benguet, Nueva Vizcaya and Quirino as the relocation site of the displaced and/or to be displaced occupants families of the Ambuklao-Biñga watershed areas and landless residents of Nueva Vizcaya and Quirino who may wish to settle in the said settlement project.

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, upon recommendation of the Secretary of the Department of Agrarian Reform, after consultation with the Secretary of Natural Resources, by virtue of the powers in me vested by the Constitution do hereby reserve, for settlement purposes under administration and disposition of the Department of Agrarian Reform subject to private rights, if any there be, and to future classification and survey, certain parcels of land more particularly described as follows:

A PARCEL OF LAND (part of the public domain), situated in the Municipality of Maddela and Dupax, Provinces of Quirino and Nueva Vizcaya, respectively. Bounded on the North by public land; on the East, by public land and Cagayan and Casecuan Rivers; on the South and West, by the National Irrigation Administration Watershed Reservation. Beginning at point marked "1" on plan, which is on the intersection of Cagayan River and Conwap River;

thence in southerly direction following the Casecuan River going upstream 11,500 meters to point "2";

thence N. 53 deg. 45' W; 3,500 meters to point "3";
 thence S. 58 deg. 30' W; 2,100 meters to point "4";
 thence N. 69 deg. 00' W; 2,500 meters to point "5";
 thence N. 27 deg. 30' W; 2,800 meters to point "6";
 thence S. 58 deg. 58' W; 3,800 meters to point "7";
 thence S. 35 deg. 00' W; 1,900 meters to point "8";
 thence S. 24 deg. 30' W; 2,000 meters to point "9";
 thence S. 67 deg. 00' W; 1,500 meters to point "10";
 thence S. 17 deg. 00' W; 3,400 meters to point "11";
 thence N. 58 deg. 30' W; 2,000 meters to point "12";
 thence N. 16 deg. 30' E; 2,300 meters to point "13";
 thence N. 56 deg. 30' W; 900 meters to point "14";
 thence due North; 2,800 meters to point "15";
 thence N. 48 deg. 30' W; 2,200 meters to point "16";
 thence N. 20 deg. 00' E; 1,700 meters to point "17";
 thence N. 65 deg. 30' E; 3,000 meters to point "18";
 thence N. 31 deg. 00' W; 1,600 meters to point "19";
 thence N. 4 deg. 00' W; 4,000 meters to point "20";
 thence N. 45 deg. 30' W; 1,900 meters to point "21";
 thence N. 85 deg. 00' W; 2,000 meters to point "22";
 thence N. 39 deg. 30' W; 4,600 meters to point "23";
 thence N. 40 deg. 30' E; 4,500 meters to point "24";
 thence S. 85 deg. 00' E; 11,100 meters to point "25";
 thence in a Southeasterly direction following the Addelen River going downstream 9,600 meters to point "26";
 thence S. 18 deg. 30' E; 17,550 meters to the point of beginning;

containing an approximate area of Forty Thousand (40,000) Hectares, more or less.

The Department of Agrarian Reform, with the assistance of the Armed Forces of the Philippines, the provincial government of Benguet and the municipalities concerned, together with the National Power Corporation and the Department of Social Welfare, shall provide facilities and equipment including funding requirements

which will be necessary for the transfer of the resettlement site including the construction of roads and bridges and bunk houses, if necessary. The Department of Agrarian Reform, however, will administer the settlement and dispose the lots therein pursuant to the provisions of Republic Act No. 3844, as amended and hereby allowed to cut, collect and dispose of timber stand in the area for its use in the development of the settlement, subject to forestry rules and regulations governing the matter.

Likewise, the Department of Natural Resources through the Bureau of Forest Development, under this proclamation is hereby instructed to immediately reclassify the said parcels of land into alienable and disposable, and thereafter, turn over the same to the Department of Agrarian Reform for disposition.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the Republic of the Philippines to be affixed.

Done in the City of Manila, in the year of our Lord this 11 day of September nineteen hundred and seventy-five.

(Sgd.) FERDINAND E. MARCOS
President of the Philippines

By the President:

(Sgd.) ROBERTO V. REYES
Acting Executive Secretary

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

PROCLAMATION NO. 1499, s. 1975

RESERVING FOR SETTLEMENT PURPOSES CERTAIN PARCELS OF LAND OF THE PUBLIC DOMAIN SITUATED IN THE MUNICIPALITIES OF BININDAYAN, BAYANG, TUBURAN, BUTIG, LUMBATAN, AND PAGAYAWAN (TATARICAN) PROVINCE OF LANA DEL SUR UNDER THE ADMINISTRATION AND DISPOSITION OF THE DEPARTMENT OF AGRARIAN REFORM

WHEREAS, it is the declared policy of the State to provide a more vigorous and systematic land resettlement program and public land distribution in order to create a truly social and viable economic structure in agriculture;

WHEREAS, it is the duty of Government to uplift the economic well-being of our people, especially the less fortunate farmers who do not own their farms or who do not own economic size farms;

WHEREAS, there are Muslim farmers in Lanao del Sur who were forced to abandon their homes and landholdings by reason of the subversive activities of some misguided elements of our society, as well as Muslim landless families who are victims of land grabbing by scrupulous individuals, both Muslims and Christians;

WHEREAS, it is the policy and responsibility of the government to rehabilitate the lives of these unfortunate Muslims by providing them with lands and technical guidance in order to make them independent, self-reliant and responsible citizens of our country;

WHEREAS, a big tract of fertile agricultural land, classified as Lanao Projects No. 3, 3-A, 9, 16 and 23 by the Bureau of Forest

Development and located in the municipalities of Binidayan, Bayang, Tubaran, Butig, Lumbatan and Pagayawan (Tatarican), all in the province of Lanao del Sur, consisting of EIGHTEEN THOUSAND ONE HUNDRED NINETY SEVEN (18,197) HECTARES, more or less, is found to be suitable to rice, corn, coffee, fruit trees and other short-term crop and for settlement purposes under the administration and disposition of the Department of Agrarian Reform.

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by law, and upon recommendation of the Secretary, Department of Agrarian Reform, with the concurrence of the Secretary of Natural Resources, do hereby reserve for settlement purposes under the administration and disposition of the Department of Agrarian Reform, subject to private rights, if any there be, and to the future classification and survey, certain parcels of land more particularly described as follows:

TECHNICAL DESCRIPTION

A parcel of land of the proposed DAR UNAYAN VALLEY SETTLEMENT RESERVATION situated in the municipalities of Binidayan, Bayang, Tubaran, Butig, Lumbatan and Pagayawan (Tararican), all in the province of Lanao del Sur, bounded on the southwest from points 1, 2, 3, 4, and 5, municipality of Nunugnan; on the northwest along points 6, 7, 8, 9, 10, 11, 12, and 13, Lake Lanao; on the east along points 13, 14, 15 and 16, Timberland area; on the southeast along points 16, 17, 18, 19, 20, 21, 22, 23 to point 1, province of Lanao del Sur, S 45 deg. 30' W, 4,230 meters from B.L.L.M. of the municipality of Malabang, Lanao del Sur:

- thence N. 25 deg. 30' W., 4,000 m. to point 2;
- thence N. 24 deg. 30' W., 3,750 m. to point 3;
- thence N. 24 deg. 30' W., 4,000 m. to point 4;
- thence N. 25 deg. 00' E., 5,000 m. to point 5;
- thence S. 84 deg. 30' E., 4,000 m. to point 6;
- thence S. 24 deg. 30' W., 3,200 m. to point 7;

thence S. 84 deg. 30' E., 2,200 m. to point 8;
thence N. 8 deg. 31' W., 3,130 m. to point 9;
thence S. 72 deg. 30' E., 4,600 m. to point 10
thence N. 67 deg. 00' E., 4,100 m. to point 11;
thence N. 67 deg. 00' E., 4,500 m. to point 12;
thence N. 67 deg. 00' E., 4,000 m. to point 13;
thence S. 1 deg. 30' E., 4,000 m. to point 14;
thence S. 1 deg. 30' E., 3,600 m. to point 15;
thence S. 1 deg. 30' E., 2,300 m. to point 16;
thence N. 88 deg. 30' W., 3,000 m. to point 17;
thence N. 88 deg. 30' W., 3,600 m. to point 18;
thence N. 88 deg. 30' W., 4,100 m. to point 19;
thence N. 35 deg. 00' W., 3,100 m. to point 20;
thence S. 30 deg. 00' W., 2,900 m. to point 21;
thence S. 41 deg. 00' E., 3,600 m. to point 22;
thence S. 72 deg. 00' W., 5,000 m. to point 23;
thence S. 73 deg. 00' W., 2,800 m. to point 24;

beginning; containing an area of EIGHTEEN THOUSAND ONE HUNDRED NINETY-SEVEN (18,197) HECTARES, more or less, date of Economic and Census Survey on December, 1973 and January, .1974, marked on the ground with X on tree, X on rocks and intersection of creeks.

In order to facilitate the development of the area, subject of this proclamation, the Department of Agrarian Reform is hereby authorized to cut, remove and dispose of the available timberland in the area to be used in the development of the settlement, subject to forestry laws, rules and regulations governing this matter.

The Secretary of the Department of Agrarian Reform is hereby authorized to issue patents to settlers who have complied with the requirements of the law pursuant to provisions of Section 51, sub-paragraph 9 of Republic Act 3844 as amended by Republic Act No. 6389.

IN WITNESS WHEREOF, I have hereunto set my hand and cause the seal of the Republic of the Philippines to be affixed.

Done in the City of Manila, this 11 day of September in the year of Our Lord, Nineteen Hundred and Seventy-Five.

(Sgd.) FERDINAND E. MARCOS

By the President:

(Sgd.) ROBERTO V. REYES
Acting Executive Secretary

PROCLAMATION NO. 1500, s. 1975

RESERVING FOR SETTLEMENT PURPOSES UNDER THE ADMINISTRATION AND DISPOSITION OF THE DEPARTMENT OF AGRARIAN REFORM CERTAIN PARCELS OF LAND OF THE PUBLIC DOMAIN SITUATED IN THE MUNICIPALITIES OF UPI AND DINAIG, PROVINCE OF MAGUINDANAO, ISLAND OF MINDANAO, PHILIPPINES

WHEREAS, it is the policy of the State to pursue a well sustained Agrarian Reform Program through a more vigorous and systematic land resettlement program and public land distribution;

WHEREAS, the implementation of the resettlement program requires that the portions of the public domain be set aside as resettlement projects for subdivision into economic family-size farms for allocation and distribution to qualified and deserving citizens;

WHEREAS, it is the policy of the administration to set a balanced pace of agricultural production with the increasing demands of the fast-growing population;

WHEREAS, a large tract of land classified as alienable and disposable consisting of approximately FOUR THOUSAND TWO HUNDRED SIXTY-EIGHT (4,268) HECTARES, more or less, situated in the Municipalities of Upi and Dinaig, province of Maguindanao, is found to be suitable for agricultural purposes by a technical committee composed of representatives of the Bureau of Lands, Bureau of Forest Development and Department of Agrarian Reform;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines upon recommendation of the Secretary of the Department of Agrarian Reform after consultation with the Secretary of Natural Resources, by virtue of the powers vested in me by the Constitution do hereby reserve for settlement purposes under the administration and disposition of the Department of

Agrarian Reform, subject to private rights if any there be and to future classification and survey, certain parcels of land more particularly described as follows:

TECHNICAL DESCRIPTION

(Parcel-1, Pres. Proc. No. __, s-1975)

A parcel of land situated at Bo. Kindal, Municipality of Upi, Province of Maguindanao; Bounded on the N. by a National road; on the E. by Parcel-2 (Dinaig portion of this project); on the S. by Project No. 12-H Blk.-2), Cotabato PMD No. 890, and by proposed Timberland Pro. No. 12-H (Blk.-B); and on the W. by National Road. Beginning at a point marked “1” on the plan, which is km. post No. 21, along the Cotabato City-Upi National Road;

thence S. 26 deg. E',	4,400 m. to point 2;
thence S. 33 deg. W',	160 m. to point 3;
thence S. 76 deg. W',	110 m. to point 4;
thence N. 40 deg. W',	200 m. to point 5;
thence S. 71 deg. W',	240 m. to point 6;
thence Due West	200 m. to point 7;
thence N. 68 deg. W',	240 m. to point 8;
thence N. 80 deg. W',	240 m. to point 9;
thence N. 70 deg. W',	240 m. to point 10;
thence S. 54 deg. W',	240 m. to point 11;
thence S. 45 deg. W',	200 m. to point 12;
thence S. 81 deg. W',	240 m. to point 13;
thence N. 75 deg. W',	200 m. to point 14;
thence S. 62 deg. W',	240 m. to point 15;
thence S. 70 deg. W',	240 m. to point 16;
thence S. 85 deg. W',	240 m. to point 17;
thence N. 26 deg. W',	150 m. to point 18;
thence N. 3 deg. W',	270 m. to point 19;
thence N. 12 deg. W',	240 m. to point 20;
thence N. 30 deg. W',	260 m. to point 21;
thence N. 40 deg. E',	300 m. to point 22;
thence N. 40 deg. E',	300 m. to point 23;

thence N. 40 deg. E',	220 m. to point 24;
thence N. 70 deg. W',	210 m. to point 25;
thence N. 29 deg. W',	220 m. to point 26;
thence N. 5 deg. W',	160 m. to point 27;
thence N. 19 deg. W',	290 m. to point 28;
thence N. 63 deg. W',	550 m. to point 29;
thence S. 60 deg. W',	240 m. to point 30;
thence S. 80 deg. W',	300 m. to point 31;
thence S. 77 deg. W',	290 m. to point 32;
thence S. 35 deg. E',	214 m. to point 33;
thence S. 10 deg. E',	180 m. to point 34;
thence S. 36 deg. E',	220 m. to point 35;
thence S. 17 deg. E',	180 m. to point 36;
thence S. 44 deg. E',	200 m. to point 37;
thence S. 11 deg. E',	200 m. to point 38;
thence S. 39 deg. E',	190 m. to point 39;
thence S. 10 deg. E',	240 m. to point 40;
thence S. 30 deg. W',	220 m. to point 41;
thence Due South	200 m. to point 42;
thence S. 16 deg. W',	200 m. to point 43;
thence S. 17 deg. E',	240 m. to point 44;
thence S. 5 deg. E',	220 m. to point 45;
thence N. 84 deg. W',	250 m. to point 46;
thence N. 82 deg. W',	160 m. to point 47;
thence N. 51 deg. W',	200 m. to point 48;
thence N. 82 deg. W',	200 m. to point 49;
thence N. 56 deg. W',	200 m. to point 50;
thence N. 44 deg. W',	212 m. to point 51;
thence Due West	200 m. to point 52;
thence N. 76 deg. W',	200 m. to point 53;
thence N. 54 deg. W',	200 m. to point 54;
thence N. 81 deg. W',	190 m. to point 55;
thence N. 52 deg. W',	200 m. to point 56;
thence N. 78 deg. W',	280 m. to point 57;
thence S. 83 deg. W',	300 m. to point 58;
thence S. 85 deg. W',	250 m. to point 59;
thence S. 89 deg. W',	570 m. to point 60;
thence S. 50 deg. W',	460 m. to point 61;

thence S. 76 deg. W'., 157.55 m. to point 62;
 thence S. 45 deg. E'., 140 m. to point 63;
 thence N. 67 deg. W'., 500 m. to point 64;
 thence following the National Road in a North-Northeast
 direction about 8,430 meters to point of beginning.

Containing an approximate area of TWO THOUSAND (2,000) HECTARES. All points are indicated on the ground by natural land marks and some by trees.

(NOTE: All data are approximate and subject to change to conform with the final Surveys as verified by the Director, Bureau of Forest Development and Director, Bureau of Lands.)

TECHNICAL DESCRIPTION

(Parcel-2, Pres. Proc. No. _____, S-1975)

A parcel of land (Parcel-2) situated in the barrio of Labungan, Municipality of Dinaig, Province of Maguindanao; Bounded on the NW., along line 1-2 by Timberland, along line 2-21 by (A & D) Proj. No. 12, Blk-B, LC-518, along line 21-23 by National Road; on the NE., along line 23-54 by Timberland; on the East., along line 54-61 by Proj. No. 19-C, Blk. III (A & D), and along line 61-86 by Timberland; on the South by Proj. No. 19-C, Blk, IV (LD-1722); and on the SW., by parcel-1 (this proj.) Beginning at a point marked "2" on the plan, which is km. post No. 21, along the Cotabato City-Upi National Road;

thence N. 8 deg. W'., 760 m. to point 2;
 thence N. 53 deg. E'., 330 m. to point 3;
 thence N. 71 deg. E'., 185 m. to point 4;
 thence N. 86 deg. E'., 330 m. to point 5;
 thence S. 83 deg. E'., 595 m. to point 6;
 thence S. 84 deg. E'., 350 m. to point 7;
 thence S. 68 deg. E'., 210 m. to point 8;
 thence N. 85 deg. E'., 485 m. to point 9;

thence N. 50 deg. E',	335 m. to point 10;
thence N. 58 deg. E',	470 m. to point 11;
thence N. 61 deg. E',	330 m. to point 12;
thence N. 55 deg. E',	340 m. to point 13;
thence N. 67 deg. W',	300 m. to point 14;
thence N. 87 deg. W',	380 m. to point 15;
thence N. 81 deg. W',	170 m. to point 16;
thence N. 78 deg. W',	270 m. to point 17;
thence N. 26 deg. W',	340 m. to point 18;
thence N. 19 deg. W',	460 m. to point 19;
thence N. 25 deg. W',	280 m. to point 20;
thence N. 85 deg. W',	550 m. to point 21;
thence Following Nat. Rd. to Cot. City, NW direction	600 m. to point 22;
thence Following Nat. Rd. to Cot. City, NW direction	2,260 m. to point 23;
thence N. 80 deg. E',	240 m. to point 24;
thence S. 79 deg. E',	130 m. to point 25;
thence Due East	240 m. to point 26;
thence N. 82 deg. E',	250 m. to point 27;
thence S. 71 deg. E',	230 m. to point 28;
thence S. 77 deg. E',	240 m. to point 29;
thence S. 13 deg. E',	160 m. to point 30;
thence S. 58 deg. E',	230 m. to point 31;
thence S. 66 deg. E',	230 m. to point 32;
thence S. 31 deg. W',	240 m. to point 33;
thence S. 81 deg. W',	160 m. to point 34;
thence N. 85 deg. E',	240 m. to point 35;
thence N. 64 deg. E',	250 m. to point 36;
thence N. 84 deg. E',	260 m. to point 37;
thence S. 26 deg. E',	220 m. to point 38;
thence N. 83 deg. E',	320 m. to point 39;
thence Due East	250 m. to point 40;
thence S. 70 deg. E',	260 m. to point 41;
thence S. 66 deg. E',	230 m. to point 42;
thence S. 6 deg. W',	280 m. to point 43;
thence S. 58 deg. W',	310 m. to point 44;
thence S. 7 deg. W',	260 m. to point 45;

thence S. 26 deg. W',	300 m. to point 46;
thence S. 17 deg. W',	230 m. to point 47;
thence S. 22 deg. E',	130 m. to point 48;
thence N. 65 deg. E',	230 m. to point 49;
thence S. 87 deg. E',	230 m. to point 50;
thence S. 84 deg. E',	230 m. to point 51;
thence N. 78 deg. E',	220 m. to point 52;
thence S. 75 deg. E',	240 m. to point 53;
thence S. 84 deg. E',	160 m. to point 54;
thence N. 60 deg. E',	230 m. to point 55;
thence S. 3 deg. W',	280 m. to point 56;
thence S. 72 deg. E',	240 m. to point 57;
thence N. 66 deg. E',	260 m. to point 58;
thence S. 69 deg. E',	320 m. to point 59;
thence S. 36 deg. E',	220 m. to point 60;
thence S. 30 deg. E',	200 m. to point 61;
thence S. 78 deg. E',	100 m. to point 62;
thence S. 70 deg. E',	210 m. to point 63;
thence S. 24 deg. E',	160 m. to point 64;
thence S. 40 deg. E',	240 m. to point 65;
thence S. 22 deg. E',	190 m. to point 66;
thence S. 21 deg. E',	250 m. to point 67;
thence S. 6 deg. E',	190 m. to point 68;
thence S. 87 deg. W',	240 m. to point 69;
thence S. 86 deg. W',	150 m. to point 70;
thence N. 80 deg. W',	230 m. to point 71;
thence S. 79 deg. W',	250 m. to point 72;
thence N. 18 deg. W',	250 m. to point 73;
thence N. 56 deg. W',	240 m. to point 74;
thence S. 13 deg. W',	150 m. to point 75;
thence S. 24 deg. W',	210 m. to point 76;
thence S. 32 deg. W',	210 m. to point 77;
thence S. 1 deg. E',	240 m. to point 78;
thence Due South	240 m. to point 79;
thence S. 10 deg. W',	230 m. to point 80;
thence S. 19 deg. W',	270 m. to point 81;
thence Due West	240 m. to point 82;
thence S. 79 deg. W',	250 m. to point 83;

thence S. 87 deg. W',	230 m. to point 84;
thence Due West	140 m. to point 85;
thence N. 59 deg. W',	200 m. to point 86;
thence N. 59 deg. W',	140 m. to point 87;
thence N. 75 deg. W',	240 m. to point 88;
thence S. 38 deg. W',	300 m. to point 89;
thence S. 48 deg. W',	240 m. to point 90;
thence S. 85 deg. W',	440 m. to point 91;
thence S. 80 deg. W',	200 m. to point 92;
thence S. 65 deg. W',	230 m. to point 93;
thence S. 88 deg. W',	260 m. to point 94;
thence N. 72 deg. W',	360 m. to point 95;
thence S. 78 deg. W',	220 m. to point 96;
thence S. 27 deg. W',	270 m. to point 97;
thence S. 54 deg. W',	300 m. to point 98;
thence S. 41 deg. W',	200 m. to point 99;
thence S. 1 deg. E',	340 m. to point 100;
thence S. 31 deg. E',	230 m. to point 101;
thence S. 43 deg. E',	280 m. to point 102;
thence S. 72 deg. E',	250 m. to point 103;
thence S. 9 deg. E',	250 m. to point 104;
thence S. 12 deg. E',	200 m. to point 105;
thence S. 70 deg. W',	270 m. to point 106;
thence S. 26 deg. W',	250 m. to point 107;
thence S. 33 deg. E',	240 m. to point 108;
thence S. 42 deg. W',	280 m. to point 109;
thence S. 81 deg. W',	260 m. to point 110;
thence N. 26 deg. W',	4,400 m. to point of

beginning; containing an area of TWO THOUSAND, TWO HUNDRED SIXTY-EIGHT (2,268) HECTARES. All points are indicated on the ground by trees if not by other natural land marks.

(NOTE: All data are approximate and subject to change to conform with the final survey as verified by the Director of the Bureau of Forest Development and by the Director of the Bureau of Lands)

The Department of Agrarian Reform, with the assistance of the Armed Forces of the Philippines, the provincial government of Maguindanao and the municipalities concerned, shall provide facilities and equipment including funding requirements which will be necessary for the transfer of the settlers from their places of origin to the resettlement site and in the land preparation including the construction of roads and bridges and bunkhouses, if necessary. The Department of Agrarian Reform however, will administer the settlement and dispose the lots therein pursuant to the provisions of Republic Act No. 3844, as amended and is hereby allowed to cut, collect and dispose of timber stand in the area for its use in the development of the settlement.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the Republic of the Philippines to be affixed.

DONE in the City of Manila, this 11th day of September, in the year of Our Lord, Nineteen Hundred and Seventy-Five.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

PROCLAMATION NO. 1530, s. 1976

RESERVING FOR SETTLEMENT PURPOSES CERTAIN PARCELS OF LAND SITUATED IN PANAMAO, TALIPAO AND TIPTIPON, PROVINCE OF SULU, PHILIPPINES, UNDER THE ADMINISTRATION AND DISPOSITION OF THE DEPARTMENT OF AGRARIAN REFORM

WHEREAS, it is the declared policy of the State to provide a more vigorous land resettlement program in order to create a truly viable social and economic structure in agriculture;

WHEREAS, it is the duty of the government to uplift the economic well-being of the people, particularly the less fortunate farmers and/or fishermen who do not own their farms, the formerly misguided elements of society who now have expressed their skills in nation building, and farmers cultivating uneconomic farms or have been displaced from their farms;

WHEREAS, it is the responsibility of the government to provide such people with lands as well as technical guidance and assistance to make them independent, self-reliant and responsible citizens;

WHEREAS, there are numerous dissidents and/or rebels in the different sectors of Mindanao who have already abandoned their political ideology and have sworn their allegiance and loyalty to the Republic of the Philippines;

WHEREAS, there are law abiding citizens, both Muslims and Christians, in the different areas of Mindanao who were forced to abandon their homes and landholdings by reason of the subversive and insurgent activities of some misguided elements of society,

landless families who are victims of land grabbing by unscrupulous individuals, both Muslims and Christians, and similarly, there are deserving landless, both Muslims and Christians, whose welfare and well-being should be looked into by the government;

WHEREAS, it is the policy and responsibility of the government to rehabilitate the lives of those unfortunate Muslims and Christian;

WHEREAS, it is part of the government commitment to insure a lasting and peaceful settlement to the conflict in Southern Philippines, by building up a politically, economically and socially stable citizenry; and

WHEREAS, there are big tracts of potential agricultural lands in Jolo Island particularly in the Tiptipon area and other adjacent areas which were found after due investigation to be suitable for agricultural cultivation, development of fishing, establishment of industries, and conversion into well-organized and developed resettlement areas for the rebel-returnees, evacuees and other deserving landless of Mindanao under the administration and disposition of the Department of Agrarian Reform;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by law and upon recommendation of the Secretary of Agrarian Reform, do hereby reserve for settlement purposes under the administration and disposition of the Department of Agrarian Reform in coordination with other government agencies concerned subject to private rights, if any there be, and to the future classification, certain parcels of land shown on the attached topographic map, more particularly described as follows:

I. BSD. 864

- (1) Lot 2408-C=Lot 2459 Mt. Dajo Cad.
99 Case 2
A=9,345,337 sq. m.

- (2) Lot 1877-A=Lot 2464 Mt. Dajo Cad.
99 Case 2
A=874,685 sq. m.
- (3) Lot 1877-B=Lot 2465 Mt. Dajo Cad.
99 Case 2
Public Land A=13,162,399 sq. m.
- (4) Lot 2410-B=Lot 2461. Mt. Dajo Cad.
99 Case 2
A=5,307,983 sq. m.
- (5) Lot No. 2410-A=Lot 2460 Mt. Dajo Cad.
99 Case 2
A=8,102,318 sq. m.
- (6) Lot No. 2177
A=1,490,11 sq. m.
- (7) Lot 2418-B=Lot 2453 Mt. Dajo Cad.
99 Case 2 Public Land
A=9,359,653 sq. m.
- (8) Lot 2418-A=Lot 2462 Mt. Dajo Cad.
99 Case 2
A=374,427 sq. m.
- (9) Lot 265-B=Lot 2463 Mt. Dajo Cad.
99 Case 2 Public Land
A=267, 259 sq. m.
- (10) Lot 465-C CAD. 159=Lot 524 Panamao
Cadastre Public Land
A=7,992,653 sq. m.
- (11) Lot 465-A=Lot 522 Panamao Cadastre
A=451,050 sq. m.

(12) Lot 2408-A=Lot 2457 Mt. Dajo Cad.
99 Case 2
A=4,480,954 sq. m.

(13) Lot 2408-B=Lot 2458 Mt. Dajo Cad.
99 Case 2
A=10,247,301 sq. m.

In order to facilitate the development of the area subject of the Proclamation, the Bureau of Forest Development is hereby ordered to immediately reclassify the said areas as alienable and disposable and the Department of Agrarian Reform in coordination with other government agencies shall immediately conduct the subdivision survey of the same into homelots, farmlots, roadlots, and other lots for public purposes. The screening, however, of prospective allocatee of the lots therein shall be done by the Regional Processing Centers established under Memorandum Order No. 516 dated June 16, 1975, of this Office. The Department of Agrarian Reform is hereby authorized to cut, remove and dispose of available timber stand in the area to be used in the development of settlement, subject to forestry laws, rules, and regulations governing the matter.

With respect to those lots, for which certificates of titles were already issued, the Department of Agrarian Reform and the Philippine Amanah Bank are hereby authorized to expropriate the said areas and/or negotiate for their acquisition on pursuant to the provisions of Republic Act No. 3844, as amended by Republic Act No. 6389. Whatever amounts are necessary for the purpose shall be taken out of the funds of the Philippine Amanah Bank to finance the acquisition of the private properties covered by this Proclamation.

The Secretary of Agrarian Reform is hereby authorized to issue Certificates of Land Transfer and/or Emancipation Patents as the case may be, to settlers properly screened by the Regional Processing Centers who have complied with the requirements of the law pursuant to Republic Act No. 3844, as amended by Republic Act No. 6389.

The Department of Agrarian Reform and/or the Armed Forces of the Philippines are hereby authorized to call upon any department, bureau, office, agency or instrumentality of the government for any assistance that may be necessary in the development, administration and disposition of the areas covered by this Proclamation.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the Republic of the Philippines to be affixed.

Done in the City of Manila, this 2nd day of February, in the year of Our Lord, nineteen hundred and seventy-six.

(Sgd.) FERDINAND E. MARCOS
President of the Philippines

By the President:

(Sgd.) JACOBO C. CLAVE
Presidential Executive Assistant

Proc. 1530 s. 1976 was amended by Proc. 136 s. 1993.
Proc. 1530 s. 1976 was amended by Proc. 835 s. 1991.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

PROCLAMATION NO. 1531, s. 1976

EXCLUDING FROM THE OPERATION OF PROCLAMATION NOS. 457 AND 544, SERIES OF 1939 AND 1940, RESPECTIVELY, AN AREA OF FIFTEEN THOUSAND HECTARES AND RESERVING THE SAME AND OTHER PARCELS OF LAND OF THE PUBLIC DOMAIN SITUATED IN THE MUNICIPALITIES OF ISABELA, LAMITAN AND MALUSO, PROVINCE OF BASILAN FOR SETTLEMENT PURPOSES UNDER THE ADMINISTRATION AND DISPOSITION OF THE SECRETARY OF AGRARIAN REFORM

WHEREAS, it is the policy of the State to provide a more systematic public land distribution and development through a massive resettlement program in order to create a truly viable social and economic structure in agriculture;

WHEREAS, it is the duty of the government to uplift the economic well-being of our people especially the less fortunate who do not own the land they till or who do not own economic size family operated farms;

WHEREAS, it is necessary to accommodate the Muslims and other dislocated landless farm tillers living at southwestern Philippines especially in the provinces of Basilan, Sulu and Zamboanga del Sur with lands and packages of assistance in order to make them independent, self-reliant and responsible citizens; and

WHEREAS, a big tract of fertile agricultural land, classified and unclassified, situated in the municipalities of Isabela, Lamitan and Maluso, Province of Basilan containing an area of FIFTEEN THOUSAND (15,000) HECTARES, more or less, was found

suitable and available for settlement purposes by the Department of Agrarian Reform;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by law, and upon the recommendation of the Secretary of Agrarian Reform, with the concurrence of the Secretary of Natural Resources, do hereby exclude from the operation of Proclamation Nos. 457 and 544, series of 1939 and 1940, respectively certain portion of the land embraced therein, and reserve the same and other parcels of land of the public domain situated in the municipalities of Isabela, Lamitan and Maluso, Province of Basilan, for settlement purposes under the administration and disposition of the Secretary of the Agrarian Reform, subject to private rights, if there be any, and to future classification and precise survey, which parcels of public lands are more particularly described as follows:

TECHNICAL DESCRIPTION

Bounded on the North by Basilan Forest Reserve FR. 97, and Basilan National Park, NP. 27; on the West by Projects Nos. 11-I, 11-H; and 11-L; and on the South by Project Nos. 11-D, 11-I, Blk. XX and Project No. 12-F Block V and VI and Project No. 12-E, alienable and disposable.

Beginning on Point "T" being 38°00" E-13, 500 meters from the Municipality of Maluso, Province of Basilan:

Thence to point 1-10-30 of Proj. No. 12-F, Blk VIII, A and D;
thence along lines 31-44 of Proj. No. 12-F, Blk VI, A and D;
thence along lines 45-80 of Proj. No. 12-F, Blk V, A and D;
thence along lines 81-99 of Proj. No. 12-E, LC 2002;
thence S 5°00 E 14,000 meters to point 100;
thence N 13°00 E 4,550 meters to point 101;
thence S 84°30" E 5,300 meters to point 102;

thence along lines 105-130 of Proj. No. 11-I, Blk XIV, A and D;
thence along line 131-143 of Proj. No. 11-H, A and D, LC 2488;

thence along lines 144-156 of Proj. No. 11-I, Blk XVII, A and D, LC 1557;

thence along lines 157-160 of Proj. No. 11-I, Blk XIX, A and D;

thence along lines 161-177 of Proj. No. 11-D, Blk III, A and D, LC 1919;

thence along lines 178-192 of Proj. No. 11-I, Blk XX, A and D;

to the point of beginning containing an estimated area of FIFTEEN THOUSAND (15,000) HECTARES, more or less.

NOTE: 1. All points are approximate and are subject to change based on actual classification and precise boundary survey.

2. The area petitioned for release for agricultural purposes by Yakan Farmers situated at sitio Limbutolan, Barrio Tumahubong, District of Lamitan, containing an area of One Thousand (1,000) Hectares, more or less, shall be segregated for them as a group.

In order to facilitate the development of the area subject of this proclamation, the Department of Agrarian Reform is hereby authorized to cut, remove and dispose of the available timber stand in the area to be used in the development of the settlement.

The Secretary of Agrarian Reform is hereby authorized to issue patents to settlers who have complied with the requirements of the law pursuant to the provisions of Republic Act No. 3844 as amended by Republic Act No. 6389.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the Republic of the Philippines to be affixed.

Done in the City of Manila, this 2nd day of February, in the year of Our Lord, nineteen hundred and seventy-six.

(Sgd.) FERDINAND E. MARCOS
President of the Philippines

By the President:

(Sgd.) JACOBO C. CLAVE
Presidential Executive Assistant

Proc. 1531 s. 1976 amended Proc. 457 s. 1939.
Proc. 1531 s. 1976 amended Proc. 544 s. 1940.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

PROCLAMATION NO. 1540, s. 1976

RESERVING FOR RESETTLEMENT PURPOSES A CERTAIN
PARCEL OF LAND OF THE PUBLIC DOMAIN SITUATED
IN THE MUNICIPALITY OF SAMPALOC, PROVINCE OF
QUEZON, ISLAND OF LUZON

Upon the recommendation of the Secretary of the Department of Natural Resources and pursuant to the provisions of Section 51 of Republic Act No. 3844, I, FERDINAND E. MARCOS, President of the Philippines, do hereby reserve for resettlement purposes under the administration and disposition of the Secretary of Agrarian Reform, subject to private rights, if any there be, and to future classification and survey and to the condition that the utilization and removal of timber and other forest products therein shall be subject to forest and internal revenue laws and regulations, a parcel of land of the public domain situated in the municipality of Sampaloc, province of Quezon, Island of Luzon, which parcel is more particularly described as follows:

“Beginning at the point marked “1” which is identical to point “14” in Sketch Plan of the area covered by the Forest Industries Food Production Program of the International Hardwood and Veneer Co. of the Philippines bearing:

- thence S. 66 deg. E., 240 m. to point 2;
- thence N. 80 deg. E., 200 m. to point 3;
- thence S. 40 deg. E., 220 m. to point 4;
- thence S. 6 deg. E., 320 m. to point 5;
- thence S. 40 deg. E., 720 m. to point 6;
- thence S. 11 deg. E., 160 m. to point 7;
- thence S. 62 deg. W., 280 m. to point 8;
- thence S. 65 deg. W., 260 m. to point 9;

thence S. 78 deg. W., 240 m. to point 10;
 thence S. 35 deg. E., 220 m. to point 11;
 thence S. 25 deg. W., 1,100 m. to point 12;
 thence S. 50 deg. W., 120 m. to point 13;
 thence S. 54 deg. W., 330 m. to point 14;
 thence S. 38 deg. W., 520 m. to point 15;
 thence S. 24 deg. W., 320 m. to point 16;
 thence S. 57 deg. W., 180 m. to point 17;
 thence S. 89 deg. W., 1,400 m. to point 18;
 thence, following creek upstream in northeasterly direction,
 about 520 m. to point 19;
 thence N. 07 deg. W., 250 m. to point 20;
 thence N. 07 deg. W., 200 m. to point 21;
 thence N. 20 deg. W., 200 m. to point 22;
 thence N. 20 deg. W., 200 m. to point 23;
 thence N. 35 deg. E., 240 m. to point 24;
 thence, following creek downstream in northeasterly,
 northerly direction about 560 m. to point 25;
 thence, following creek downstream in a general northwesterly
 direction, about 360 m. to point 26;
 thence, following creek downstream in a general northwesterly
 direction, about 540 m. to point 27;
 thence, following logging road in a general northwesterly
 direction, about 500 m. to point 28;
 thence, following same logging road in a general northeasterly
 direction, about 500 m. to point 29;
 thence, following same logging road, northeasterly direction,
 about 500 m. to point 30;
 thence, following same logging road in a general northeasterly
 direction, about 500 m. to point 31;
 thence, following same logging road, northeasterly direction,
 about 400 m. to point 32;
 thence, following same logging road, in a northerly direction,
 about 400 m. to point 33;
 thence S. 75 deg. E., 200 m. to point 34;
 thence S. 75 deg. E., 320 m. to point 1, the
 point of beginning, containing an approximate area of SEVEN
 HUNDRED SIXTY (760) HECTARES.”

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the Republic of the Philippines to be affixed.

Done in the City of Manila, this 12th day of April, in the year of Our Lord, nineteen hundred and seventy-six.

(Sgd.) FERDINAND E. MARCOS
President of the Republic of
the Philippines

By the President

(Sgd.) JACOBO C. CLAVE

MALACAÑANG
Manila

BY THE PRESIDENT OF THE PHILIPPINES

PROCLAMATION NO. 1679, s. 1977

DECLARING THE PERIOD FROM OCTOBER 15, TO 21, 1977, AS
AGRARIAN REFORM WEEK

WHEREAS, the fifth anniversary of Presidential Decree No. 27 which emancipated the tenant-farmers in rice and corn lands from the bondage of the soil falls on October 21, 1977;

WHEREAS, land reform is one of the main program thrusts of the New Society in uplifting the tenant-farmers in their struggle for social and economic freedom;

WHEREAS, in order to give meaning and focus public attention to the significance of this historical landmark in the upliftment of our tenant-farmers, it is fitting that we celebrate the event with meaningful programs;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby declare the period from October 15 to 21, 1977, as Agrarian Reform Week.

I call upon all departments, offices and our citizenry to celebrate the success of land reform with fitting ceremonies and to inculcate in the minds of our people the importance thereof.

The Department of Agrarian Reform shall coordinate all activities for the successful celebration of the week.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the Republic of the Philippines to be affixed.

Done in the City of Manila, this 13th day of October, in the year of Our Lord, nineteen hundred and seventy-seven.

(Sgd.) FERDINAND E. MARCOS
President of the Philippines

By the President:

(Sgd.) JACOBO C. CLAVE
Presidential Executive Assistant

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

PROCLAMATION NO. 1798-A, s. 1978

RESERVING FOR SETTLEMENT PURPOSES CERTAIN PARCELS
OF LAND OF THE PUBLIC DOMAIN SITUATED IN THE
MUNICIPALITY OF KAPAI, PROVINCE OF LANA DEL
SUR, ISLAND OF MINDANAO, PHILIPPINES, UNDER THE
ADMINISTRATION AND DISPOSITION OF THE MINISTRY
OF AGRARIAN REFORM

Upon the recommendation of the Minister of Agrarian Reform with the concurrence of the Minister of Natural Resources, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby reserve for settlement purposes certain parcels of land of the public domain situated in the Municipality of Kapai, Province of Lanao del Sur, Island of Mindanao, Philippines, under the administration and disposition of the Ministry of Agrarian Reform, subject to private rights if any there be and to future classification and boundary survey, which parcels of public lands are more particularly described as follows:

TECHNICAL DESCRIPTION

A parcel of land within the public domain situated in the Municipality of Kapai, Province of Lanao del Sur, bounded in the North by timberland, on the East by public and private lands, on the South and West by timberland.

Beginning from a point marked "1" as shown in ANNEX PLAN "1", which is the intersection of Bayog River tributaries with approximate geographical position of 8 deg. 05' 25" N and 124 deg. 32' 15" E; thence S 35 deg. 00' E 4,750 m. to point 2;

thence S 45 deg. 30' W 2,030 m. to point 3; thence N 86 deg. 30' W 4,930 m. to point 4; thence N 77 deg. 30' W 4,320 m. to point 5; thence N 56 deg. 00' W 3,110 m. to point 6; thence N 0 deg. 30' E 2,050 m. to point 7; thence S 87 deg. 30' E 3,850 m. point 8; thence S 56 deg. 30' E 3,350 m. to point 9; thence S 66 deg. 30' E 2,610 m. to point 10; thence S 53 deg. 39' E 1,500 m. to point of

beginning; containing an area of FIVE THOUSAND FIVE HUNDRED (5,500) HECTARES, more or less. All bearings and distances are approximate and are subject to change based on the final boundary survey.

The National Coordinating Committee (NCC) created under Memorandum Order No. 516, as amended, is hereby directed to organize a Plans and Programs Committee composed of the representatives from the NCC as Chairman, the Ministry of Agrarian Reform, Bureau of Forest Development, Bureau of Lands and the Bureau of Soils as members, which shall prepare the area development plan, work program, cost estimates and other technical plans and designs necessary for the total development of the settlement.

The Bureau of Forest Development is hereby directed to undertake the classification of lands subject of this proclamation and to release as alienable and disposable all areas which are suitable for agricultural purposes. The Bureau of Lands shall undertake the boundary, topographic and subdivision surveys and the Bureau of Soils, the soil survey. All expenses for said surveys shall be charged against the funds set aside for this project.

The Bureau of Resettlement, Bureau of Forest Development and the NCC are jointly charged with the responsibility of overseeing and supervising the implementation of the development plans and programs of the settlement project. For this purpose, the Bureau of Forest Development shall immediately issue the necessary licenses and/or permits for the gathering of forest products found in the settlement area in accordance with the area development plan therefor and existing forestry rules and regulations.

For purposes of maintaining a balance ecosystem in the settlement and to assure a sustained and sufficient supply of surface water for domestic and agricultural purposes, all portions classified as timberland inside the settlement reservation and areas within a distance of 500 meters from the boundary of the reservation, are hereby declared and reserved as critical watersheds and shall not be subject to log extraction or harvest in any form. Towards this end, all logging permits and/or licenses within the area are hereby cancelled. Likewise, any pasture permit or pasture lease agreement affecting areas within the settlement reservation shall not be renewed upon its expiration.

To preclude overlapping or conflicting jurisdiction over the reservation, all alienable and disposable lands previously released to the Bureau of Lands are hereby transferred to the Ministry of Agrarian Reform. However, in the disposition of the same, vested rights e. g. land patents or titles, approved applications for issuance of patents filed by public land applicants who have complied with the requirements of the Public Land Law, as amended, shall be respected.

The Ministry of Agrarian Reform is hereby authorized to issue patents to qualified beneficiaries in accordance with the rules and regulations that may be promulgated by the Ministry of Agrarian Reform.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the Republic of the Philippines to be affixed.

Done in the City of Manila, this 21st day of October, in the year of Our Lord, Nineteen hundred and seventy-eight.

(Sgd.) FERDINAND E. MARCOS
President of the Philippines

By the President:

(Sgd.) JUAN C. TUVERA
Presidential Assistant

MALACAÑANG
Manila

PROCLAMATION NO. 1893, s. 1979

**DECLARING THE ENTIRE METROPOLITAN MANILA AREA AS
AN URBAN LAND REFORM ZONE**

WHEREAS, the monopoly of land ownership by a few, as well as the absence of an effective regulatory mechanism, has spawned disastrous land speculation and has caused irrational patterns of land development resulting in the emergence of blighted areas, slums and squatters' colonies;

WHEREAS, unrestricted pricing and rentals of land put them beyond the economic capabilities of the common man, resulting in acute housing shortage and unreasonable and oppressive housing rentals;

WHEREAS, it is imperative to change the traditional concept of land ownership so that land shall no longer be treated as a commodity of trade but as an effective means of production, particularly in agriculture and industry, in order to minimize the adverse effects of inflation;

WHEREAS, the fundamental law of the land provides for the regulation of the acquisition, ownership, use, enjoyment and disposition of private property and the equitable diffusion of profits and of the ownership of property, which includes land and land resources;

WHEREAS, Presidential Decree No. 1517, proclaiming urban land reform in the Philippines and providing for the implementing machinery thereof, empowers the President to proclaim urban and urbanizable lands as urban land reform zones;

WHEREAS, the government has no intention of taking over lands in places which may be declared urban land reform zones;

WHEREAS, the intention of the government is to safeguard the public interest, especially that of future generations, by undertaking the regulation of the use and ownership of land as part of the program of equitable and rational distribution of wealth to which the government under the New Society is committed;

WHEREAS, such regulation for the public interest, particularly with respect to the development of land for subdivisions and for commercial and industrial purposes, is enunciated in Presidential Decree No. 1517;

WHEREAS, the government has no intention of expropriating or taking over all private urban lands including those which are now being utilized as viable undertakings or projects, and on the contrary the government will enhance the rational use and development of lands by private owners, subject to regulation;

WHEREAS, the purpose of urban land reform is to place all urban land under the management of the state which will, however, allow its use by private owners subject to the zonification plans as well as the rules and regulations for urban land use;

WHEREAS, it is necessary to emphasize that urban land reform differs, as indicated above, from rural land reform, so as to quiet the fears and dispel doubts or speculations arising from the misconception that urban land reform and agrarian land reform as provided under P.D. No. 27 are identical;

WHEREAS, the problems and needs identified above as arising from unregulated use, ownership and development of urban land are most pronounced and acute in Metro Manila, which is the most thickly populated area in the country;

WHEREAS, the proclamation of Metro Manila as an urban land reform zone is therefore timely, logical, desirable and urgent for the well-being of its inhabitants and to provide a model for social and economic reforms for other cities and municipalities.

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, pursuant to Section 4 of Presidential Decree No. 1517 entitled “Proclaiming Urban Land Reform in the Philippines and Providing for the Machinery Thereof,” do hereby declare the entire Metropolitan Manila composed of the Cities of Manila, Quezon, Pasay and Caloocan and the Municipalities of Valenzuela, Malabon, Navotas, Marikina, San Juan, Mandaluyong, Makati, Pasig, Pateros, Taguig, Parañaque, Las Piñas and Muntinlupa as an Urban Land Reform Zone.

Accordingly, as Section 4 of Presidential Decree No. 1517 provides, “No urban land can be disposed of or used or constructed on unless its disposition or use conforms with the development and zoning plans of the Ministry (of Human Settlements), and the approved enforcement and implementation guidelines in accordance with the official Development Registry System and the Development Use Permit System provided for in Sections 13 and 16 of this Decree.”

In consonance with the above, all landowners in Metro Manila are required under Sections 4, 9, 12 and 15 of said Decree to register their existing rights, development proposals, proposed improvements, and proposals to sell, lease or encumber lands with the Human Settlements Regulatory Commission.

The Ministry of Human Settlements may call upon any government ministry, office, agency or instrumentality for such assistance as it may need or designate any of the aforementioned government agencies or instrumentalities to exercise specific functions and activities related to or necessary for the implementation hereof.

IN WITNESS WHEREOF, I have thereunto set my hand and caused the seal of the Republic of the Philippines to be affixed.

Done in the City of Manila, this 11th day of September, in the year of Our Lord, nineteen hundred and seventy-nine.

(Sgd.) FERDINAND E. MARCOS
President of the Philippines

By the President:

(Sgd.) JUAN C. TIVERA
Presidential Assistant

MALACAÑANG
Manila

BY THE PRESIDENT OF THE PHILIPPINES

PROCLAMATION NO. 1909, s. 1979

DECLARING THE PERIOD FROM OCTOBER 15 TO 21, 1979 AS
AGRARIAN REFORM WEEK

WHEREAS, agrarian problems have plagued the country for centuries and agrarian reform has been instituted and implemented by the government to improve the social and economic conditions of our people;

WHEREAS, a milestone in our land reform program was the promulgation of Presidential Decree No. 27 on October 21, 1972, emancipating tenants of rice and corn lands from the bondage of the soil; and

WHEREAS, it is fitting and proper to declare this year an agrarian reform week to celebrate the anniversary of this significant event in our history so as to focus national attention on the agrarian reform program of the government which has uplifted the living conditions of our people especially the farmers;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby declare the period from October 15 to 21, 1979, as Agrarian Reform Week under the auspices of the Ministry of Agrarian Reform.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the Republic of the Philippines to be affixed.

Done in the City of Manila, this 11th day of October, in the year of Our Lord, Nineteen hundred and seventy-nine.

(Sgd.) FERDINAND E. MARCOS
President of the Philippines

By the President:

(Sgd.) JACOBO C. CLAVE
Presidential Executive Assistant

MALACAÑANG
Manila

BY THE PRESIDENT OF THE PHILIPPINES

PROCLAMATION NO. 1954, s. 1980

PROCLAIMING THE TRANSFER OF JURISDICTION OVER
SACOBIA RESETTLEMENT AREA FROM THE MINISTRIES
OF NATIONAL DEFENSE AND AGRARIAN REFORM TO
THE MINISTRY OF HUMAN SETTLEMENTS

WHEREAS, the Ministry of Human Settlements, (MHS), in exercising its functions, has been given the task to provide the eleven basic needs to every human settlement, including relocation sites for squatter families;

WHEREAS, Sacobia, 5,612 hectares of military reservation in Bamban, Tarlac and Mabalacat, Pampanga has been designated the relocation site for the Marcos and Macapagal squatter villages, particularly, another squatter villages in the periphery of the Clark Air Base Military Reservation, generally, including the San Vicente community, developed by the MHS as a Bagong Lipunan Sites and Services (BLISS) Level II pilot community with target beneficiaries of 100 families;

WHEREAS, there is a pressing need to integrate and rationalize the facilities and services to be rendered to the beneficiary families of Sacobia, initial target of which is at 600 families.

WHEREAS, the BLISS Program of the MHS is an integrated human settlements approach in delivering basic services and facilities for the development of a new self-contained community, incorporating not only the housing component, but livelihood and ecosystem development as well;

WHEREAS, the development of San Vicente in Sacobia, called for an immediate response to urgent shelter and livelihood

needs, successfully met with inter-agency participation and thus exemplifies the immediate rendition of impact projects for the speedy development of the site;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by the Constitution and the sovereign will of the Filipino people, do hereby proclaim that Sacobia, a property of the Government of the Philippines and formerly jointly administered by the Ministries of National Defense and Agrarian Reform, be transferred to the Ministry of Human Settlements to undertake its development in consonance with the BLISS Program; accordingly, any provision of law, decree, executive order, ordinance, rules and regulations, inconsistent herewith are hereby repealed, amended, or modified accordingly.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the Republic of the Philippines to be affixed.

Done in the City of Manila, this 25th day of March, in the year of Our Lord, nineteen hundred and eighty.

(Sgd.) FERDINAND E. MARCOS
President of the Philippines

By the President:

(Sgd.) JOAQUIN T. VENUS, JR.
Presidential Staff Director

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

PROCLAMATION NO. 2015, s. 1980

TITLE: RESERVING FOR SETTLEMENT PURPOSES CERTAIN PARCELS OF LAND OF THE PUBLIC DOMAIN SITUATED IN THE MUNICIPALITY OF CATEEL, PROVINCE OF DAVAO ORIENTAL, ISLAND OF MINDANAO, PHILIPPINES UNDER THE ADMINISTRATION AND DISPOSITION OF THE MINISTRY OF AGRARIAN REFORM.

DATE: SEPTEMBER 19, 1980

REMARKS: ORIGINAL WITHDRAWN BY THE LEGAL OFFICE ON SEPTEMBER 23, 1980.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

PROCLAMATION NO. 2022, s. 1980

DECLARING THE PERIOD FROM OCTOBER 15 TO 21, 1980, AS
AGRARIAN REFORM WEEK

WHEREAS, agrarian problems have plagued the country for centuries and agrarian reform has been instituted and implemented by the government to improve the social and economic conditions of our people;

WHEREAS, a milestone in our agrarian reform program was the promulgation of Presidential Decree No. 27 on October 21, 1972, emancipating tenants of rice and corn lands from the bondage of the soil; and

WHEREAS, it is fitting and proper to declare this year an agrarian reform week to celebrate the anniversary of this significant event in our history so as to focus national attention on the agrarian reform program of the government which has uplifted the living conditions of our people especially the farmers;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby declare the period from October 15 to 21, 1980, as Agrarian Reform Week under the auspices of the Ministry of Agrarian Reform and duly organized farmer associations.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the Republic of the Philippines to be affixed.

Done in the City of Manila, this 9th day of October, in the year of Our Lord, nineteen hundred and eighty.

(Sgd.) FERDINAND E. MARCOS
President of the Philippines

By the President:

(Sgd.) JUAN C. TUVERA
Senior Presidential Assistant

MALACAÑANG
MANILA

By the President of the Philippines

PROCLAMATION NO. 2046, s. 1981

RESERVING FOR AGRO-INDUSTRIAL COOPERATIVE SETTLEMENT PURPOSES CERTAIN PARCELS OF LAND OF THE PUBLIC DOMAIN SITUATED IN THE MUNICIPALITIES OF WAO AND BUMBARAN, PROVINCE OF LANAODELSUR, ISLAND OF MINDANAO, PHILIPPINES UNDER THE ADMINISTRATION AND DISPOSITION OF THE SOUTHERN PHILIPPINES DEVELOPMENT AUTHORITY OF THE MINISTRY OF HUMAN SETTLEMENTS

WHEREAS, the establishment and development of frontier agricultural communities in Southern Philippines has significantly enhanced attainment of lasting peace and the accelerated economic rehabilitation and upliftment of “Balik-Kapatid” and other dislocated inhabitants affected by the disturbed peace and order situation in the area;

WHEREAS, Southern Philippines is now the focus of government programs for countryside development and resolving rural poverty, unemployment and discontent among the rural populations in isolated but potentially productive agricultural lands;

WHEREAS, the MNLF forces, under the command of Jamil Lucman, operating within the Provinces of Lanao del Sur, Lanao del Norte and adjoining areas, who have just returned to the folds of the law and pledged their allegiance to the government and their desire to actively participate in the government’s economic development programs have identified and petitioned that a big tract of undeveloped potentially productive agricultural land of the public domain is available and suitable for the establishment of an Agro-Industrial Cooperative Settlement for their relocation including their families and other muslims and other landless

farmers situated in the Kalaga Plateau of Wao and Bumbaran, Province of Lanao del Sur;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines by virtue of the powers vested in me by law and upon the recommendation of the Minister of Human Settlements and the National Resettlement Survey and Review Committee (NRSRC) do hereby reserve for Agro-Industrial Cooperative Settlement purposes certain parcels of land of the public domain situated in the Municipalities of Wao and Bumbaran, Province of Lanao del Sur, Island of Mindanao, Philippines, under the management and administration of the Southern Philippines Development Authority, of the Ministry of Human Settlements in coordination and with cooperation of the Ministry of Agrarian Reform, Ministry of Agriculture and the Presidential Committee for Rehabilitation and Development of Southern Philippines (PMO 697), subject to private rights and forestry rules and regulations, if any there be and future classification and final boundary survey, which parcels of public land are shown in Annex PLAN “A” and more particularly described as follows:

Beginning at a point marked “1” as shown in ANNEX PLAN “A” which is identical to point 36 of Lot 3, SWO 41776 of Wao Settlement Project, thence, in a north-westerly direction following the Lanao del Sur-Cotabato Boundary, up to point 2 which is the intersection of Malitbug River with the boundary:

thence, in a westerly direction following the boundary, 5,00m, to point 3;

Thence, N-00 degrees — 14,700 m. to point 4;

thence, N-23 degrees East — 4,300 m. to point 5;

thence, N-38 degrees West — 7,400 m. to point 6;

Points 6 to 51 are identical to points 10 to 55 of SWO 41745, Parcel 2 of Rugman Valley Settlement Project;

Thence, N-84 degrees East — 750 m. to point 42;

which is identical to point 21 of SWO 41745 of parcel 3, Rugman Valley Settlement Project;

thence, in a southerly direction following the boundaries of Parcel 3, Rugman Valley Settlement Project, PLS 969-D of Wao Settlement Project, PLS 727 Case 2 of Wao Settlement Project, up to point 70 of Lot 3, SWO 41776, Wao Settlement Project;

thence, due West along the Wao Settlement Project, boundary up to point 45 of Lot 3, SWO 41776;

thence, S-13 degrees West following the boundary, 2,300 m. up to point of beginning; containing an area of TWENTY-FIVE THOUSAND (25,000) hectares, more or less. All bearings and distances are approximate and are subject to change based on the results of the final boundary survey.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the Republic of the Philippines to be affixed.

Done in the City of Manila, this 17th day of January, in the year of Our Lord, Nineteen Hundred and Eighty-One.

(Sgd.) FERDINAND E. MARCOS
President of the Philippines

By the President:

(Sgd.) JOAQUIN T. VENUS, JR.
Deputy Presidential Executive Assistant

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

PROCLAMATION NO. 2122, s. 1981

DECLARING THE PERIOD FROM OCTOBER 21 TO 27, 1981, AS
AGRARIAN REFORM WEEK

WHEREAS, agrarian problems have plagued the country for centuries and agrarian reform has been instituted and implemented by the government to improve the social and economic conditions of our people;

WHEREAS, a milestone in our agrarian reform program was the promulgation of Presidential Decree No. 27 on October 21, 1972, emancipating tenants of rice and corn lands from the bondage of the soil; and

WHEREAS, it is fitting and proper to declare this year an agrarian reform week to celebrate the anniversary of this significant event in our history so as to focus national attention on the agrarian reform program of the government which has uplifted the living conditions of our people especially the farmers;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby declare the period from October 21 to 27, 1981, as Agrarian Reform Week under the auspices of the Ministry of Agrarian Reform and duly organized farmers associations.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the Republic of the Philippines to be affixed.

Done in the City of Manila, this 2nd day of October, in the year of Our Lord, nineteen hundred and eighty-one.

(Sgd.) FERDINAND E. MARCOS
President of the Philippines

By the President:

(Sgd.) JOAQUIN T. VENUS, JR.
Deputy Presidential Executive Assistant

MALACAÑANG
Manila

BY THE PRESIDENT OF THE PHILIPPINES

PROCLAMATION NO. 2234, s. 1982

DECLARING THE PERIOD FROM OCTOBER 21 TO 27, 1982 AS
AGRARIAN REFORM WEEK

WHEREAS, agrarian reform has been instituted and implemented by the government to improve the social and economic conditions of our farmers;

WHEREAS, a milestone in our agrarian reform program was the promulgation of Presidential Decree No. 27 on October 21, 1972, emancipating tenants of rice and corn lands from the bondage of the soil;

WHEREAS, it is fitting and proper to declare an agrarian reform week to celebrate the anniversary of this significant event in our history so as to focus national attention to the agrarian reform program of the government which has given to our farmers a better quality of life;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by the law, do hereby declare the period from October 21 to 27, 1982, as Agrarian Reform Week under the auspices of the Ministry of Agrarian Reform and duly organized farmers associations.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the Republic of the Philippines to be affixed.

Done in the City of Manila, this 13th day of October in the year of Our Lord, nineteen hundred and eighty-two.

(Sgd.) FERDINAND E. MARCOS
President of the Philippines

By the President:

(Sgd.) JOAQUIN T. VENUS, JR.
Deputy Presidential Executive Assistant

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

PROCLAMATION NO. 2291, s. 1983

RESERVING FOR SETTLEMENT PURPOSES A CERTAIN PARCEL OF LAND OF THE PUBLIC DOMAIN SITUATED IN THE MUNICIPALITY OF TAPAZ, PROVINCE OF CAPIZ, UNDER THE ADMINISTRATION AND DISPOSITION OF THE MINISTRY OF AGRARIAN REFORM

WHEREAS, it is the declared policy of the State to provide a massive agricultural resettlement program and a systematic public land distribution and development, in order to create a truly viable, social and economic agricultural structure of the country;

WHEREAS, it is now the priority program and concern of the Government to accelerate the development of all potentially productive agricultural lands, particularly public lands, which have remained idle in the isolated and depressed provinces, as an approach to upgrade the economic growth and the general well-being of the people;

WHEREAS, it is also the concern and commitment of the Government to provide deserving landless farmers with agricultural lands which they can develop as their own with technical and material assistance from the Government to make them self-reliant, independent and responsible citizens;

WHEREAS, a big tract of fertile and potentially productive agricultural land consisting of 9,660 hectares of alienable and disposable lands of the public domain situated in the Municipality of Tapaz, Province of Capiz, has been identified and verified by the Regional Composite Resettlement, Survey and Review Committee, to be suitable and available for settlement purposes;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by law, and upon recommendation of the Minister of Agrarian Reform, after due consultation with the Minister of Natural Resources, do hereby reserve for settlement purposes under the administration and disposition of the Ministry of Agrarian Reform, subject to private rights, if any there be, and to future classification and survey, that certain parcel of land of the public domain consisting of 9,660 hectares situated in the Municipality of Tapaz, Province of Capiz, more particularly described as follows:

TECHNICAL DESCRIPTION

A parcel of land situated in the Municipality of Tapaz, Province of Capiz, beginning at a point marked "1" on plan (LC Map-1270 & 2019) being Latitude 11 deg. 25' 06" M. and longitude 122 deg 25' 51"E.

thence Due – East, 2,785.00 m. to point 2;
 thence Due – East, 5,850.00 m. to point 3;
 thence Due – South, 3,340.00 m. to point 4;
 thence Following Malinao River upstream is SW direction about 1,800.00 m. to point 5;
 thence S.35 deg. 00'E, 1,070.00 m. to point 6;
 thence S.33 deg. 00'E, 1,580.00 m. to point 7;
 thence Due – South, 8,040.00 m. to point 8;
 thence Due – West, 4,030.00 m. to point 9;
 thence N.70 deg. 00'W., 3,230.00 m. to point 10;
 thence N.70 deg. 00'W., 1,740.00 m. to point 11;
 thence Due – North, 365.00 m. to point 12;
 thence Due – North, 2,180.00 m. to point 13;
 thence Following Panay River downstream is SW direction about 3,000.00 m. to point 14;
 thence Following Panay River downstream in NW direction about 5,300.00 m. to point 15;
 thence N.3 deg. 00'W., 700.00 m. to point 16;
 thence N.32 deg. 00'W., 288.00 m. to point 17;
 thence N.34. deg. 00'W., 388.00 m. to point 18;

thence S.87 deg. 00'W., 213.00 m. to point 19;
thence N.83 deg. 00'W. 365.00 m. to point 20;
thence N.22 deg. 00'W., 380.00 m. to point 21;
thence Following Sebuguan Creek upstream in NW direction
about 1,550.00 m. to point 22;
thence Following Agtilog Creek upstream in NW direction
about 1,725.00 m. to point 23;
thence Following a Creek upstream in NE direction about
125.00 m. to point 24;
thence N.42 deg. 00'E. 325.00 m. to point 25;
thence N.52 deg. 00'W., 220.00 m. to point 26;
thence Following Malinao Creek downstream in NW direction
about 900.00 m. to point 27;
thence Following Malinao Creek downstream in SW direction
about 570.00 m. to point 28;
thence Following Malinao Creek downstream in NW direction
about 740.00 m. to point 29;
thence Following Malinao Creek downstream in NW direction
about 1,000.00 m. to point 30;
thence Following Malinao Creek in NW direction about
1,350.00 m. to point 31;
thence S.67 deg. 00'W., 700.00 m. to point 32;
thence S.45 deg. 00'W., 220.00 m. to point 33;
thence N.60 deg. 00'W., 190.00 m. to point 34;
thence Following Toslon Creek downstream in SW direction
about 460.00 m. to point 35;
thence Due – North, 4,400.00 m. to point of
beginning, containing an approximate area of NINE
THOUSAND SIX HUNDRED SIXTY (9,660) HECTARES,
more or less.

In order to accelerate the development of the area, in accordance with the Area Development Plans and Programs of the Ministry of Agrarian Reform and other government agencies concerned, including local governments, along the concept of agricultural group resettlement, the Ministry of Agrarian Reform is hereby authorized to cut, remove and dispose of the timber stand within the alienable and disposable areas for the development of the settlement and as

assistance to settler-beneficiaries, subject however, to the Bureau of Forest Development rules and regulations.

In order to eliminate overlapping jurisdiction on the administration and disposition of all alienable and disposable lands within the reservation, all areas that were previously released to the Bureau of Lands, subject to private rights, if any there be, shall now be under the Ministry of Agrarian Reform and disposed of in accordance with the provisions of R.A. 3844, as amended, and other applicable laws and Presidential Decrees, policies, rules and regulations promulgated thereunder by the Ministry of Agrarian Reform.

The Minister of the Ministry of Agrarian Reform is hereby authorized to issue patents to qualified settlers who have complied with the requirements of the Public Land Act and the provisions of R. A. No. 3844 as amended by R. A. No. 6389.

DONE in the City of Manila, Philippines, this 21st day of May, in the year of Our Lord nineteen hundred and eighty-three.

(Sgd.) FERDINAND E. MARCOS
President of the Philippines

By the President:

(Sgd.) JUAN C. TUVERA
Presidential Executive Assistant

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

PROCLAMATION NO. 2292, s. 1983

RESERVING FOR SETTLEMENT PURPOSES CERTAIN PARCELS OF LAND OF THE PUBLIC DOMAIN SITUATED IN THE MUNICIPALITIES OF BASEY, STA. RITA AND PINABACDAO, PROVINCE OF WESTERN SAMAR, UNDER THE ADMINISTRATION AND DISPOSITION OF THE MINISTRY OF AGRARIAN REFORM

WHEREAS, it is the declared policy of the State to provide a massive agricultural resettlement program and a systematic public land distribution and development in order to create a truly viable, social and agricultural national structure of the country;

WHEREAS, it is a priority program and also primary concern of the State to accelerate the development of all public agricultural lands which have remained idle in the isolated and depressed provinces to upgrade the economic growth and general well being of the people;

WHEREAS, the government has taken steps to effectuate the emancipation of tenant farmers of private agricultural lands, and to uplift the economic and special well being of our deserving landless farmers by providing them with lands from the vast areas of potentially productive agricultural public lands for development and cultivation under government supervision and guidance;

WHEREAS, there are certain parcels of fertile and potentially productive lands of the public domain, classified and unclassified in the interior portions of the Municipalities of Basey, Sta. Rita and Pinabacdao, Province of Western Samar, which have been identified and found to be suitable for agricultural resettlement project by the Ministry of Agrarian Reform, Ministry of Natural Resources and the

National Resettlement Survey and Review Committee coordinated by the Development Coordinating Council for Leyte and Samar (LOI 576);

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by law, and upon recommendation of the Minister of Agrarian Reform after due consultation with the Minister of Natural Resources, do hereby reserve for settlement purposes under the administration and disposition of the Ministry of Agrarian Reform, certain parcels of land of the public domain situated in the Municipalities of Basey, Sta. Rita and Pinabacdao, Province of Western Samar, and more particularly bounded and described as follows:

Beginning at a point marked "1" on plan (based on BOGS maps) being longitude 11 deg. 30'N and latitude 125 degree 1.92'E.

thence, S. 84 deg. 15'E., 15,500 m. to point 2
thence, S. 04 deg. 00'E., 9,125 m. to point 3
thence, S. 13 deg. 30'W., 5,625 m. to point 4
thence, S. 80 deg. 00'W., 9,000 m. to point 5
thence, N. 35 deg. 20'W., 7,500 m. to point 6
thence, N. 13 deg. 20'W., 11,187 m. to point of

beginning, containing an area of NINETEEN THOUSAND EIGHT HUNDRED NINETY THREE (19,893) hectares, more or less.

In order to accelerate the development of the area subject of this proclamation, the Bureau of Forest Development is hereby directed to undertake immediately the necessary land classification survey of said area to delineate areas available for release as alienable and disposable lands.

The Ministry of Agrarian Reform is hereby authorized to cut, remove and dispose of the timber within the alienable and disposable portions of the reservation to be used in the development of the settlement and to fill the timber needs of qualified settlers

therein, subject however to the Bureau of Forest Development rules and regulations on the matter.

With respect to those lots for which certificates of title were already issued, the Ministry of Agrarian Reform is hereby authorized to expropriate the said areas and/or negotiate for their acquisition pursuant to the provisions of Republic Act No. 3844, as amended by Republic Act No. 6389, if such areas are very necessary for the overall development of the settlement. The amounts necessary for the purpose shall be taken out of the funds of the Ministry of Agrarian Reform to finance the acquisition of the private properties covered by this proclamation.

The Ministry of Agrarian Reform is hereby directed to organize a Plans and Programs Committee, composed of representatives from the Bureau of Forest Development, the Bureau of Lands and the Bureau of Soils, which shall prepare the area development plan, work program, cost estimates and other technical plans and designs necessary for the total development of the settlement.

Since permanent agricultural and profitable farming ventures necessitate a sustained sufficient water supply for irrigation purposes as well as the adoption of measures to prevent soil erosion, the areas marked “B-1”, “E”, “F” and “G” in the attached sketch plan being within the proposed Sohotan Natural Bridge Reservation, timberland and unclassified areas respectively, should be retained as permanent forest lands to be reserved as watersheds.

To maximize land use and development as well as to avoid any land speculation, the Ministry of Agrarian Reform is hereby directed to observe the leasehold system in the distribution of the land covered by this proclamation, and similarly observe and/or adopt the cooperative system of management and development.

Done in the City of Manila, this 21st day of May, in the year of Our Lord, nineteen hundred and eighty-three.

(Sgd.) FERDINAND E. MARCOS

By the President:

(Sgd.) JUAN C. TUVERA
Presidential Executive Assistant

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

PROCLAMATION NO. 2316, s. 1983

DECLARING THE PERIOD FROM OCTOBER 17 TO 23, 1983 AS
AGRARIAN REFORM WEEK

WHEREAS, a milestone in our agrarian reform program was the promulgation of P.D. 27 on October 21, 1972 emancipating tenants from feudal bondage;

WHEREAS, agrarian reform has strengthened the security of tenure of the farmers and improved their social and economic conditions, thus enabling them to branch out to livelihood projects in line with the Kilusang Kabuhayan at Kaunlaran (KKK);

WHEREAS, it is fitting and proper to declare an agrarian reform week to celebrate the anniversary of this significant event in our history to focus national attention on Tenant Emancipation as a turning point in our efforts at national development;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby declare the period from October 17 to 23, 1983 as AGRARIAN REFORM WEEK under the auspices of the Ministry of Agrarian Reform, Land Bank of the Philippines, Philippine Crop Insurance Corporation and duly organized farmers associations.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the Republic of the Philippines to be affixed.

Done in the City of Manila, this 6th day of October, in the year of Our Lord, nineteen hundred and eighty-three.

(Sgd.) FERDINAND E. MARCOS
President of the Philippines

By the President:

(Sgd.) JUAN C. TUVERA
Presidential Executive Assistant

MALACAÑANG

MANILA

BY THE PRESIDENT OF THE PHILIPPINES

PROCLAMATION NO. 2342, s. 1984

AMENDING PRESIDENTIAL PROCLAMATION NO. 284, SERIES OF 1938, AS AMENDED, BY EXCLUDING A PORTION THEREOF CONSISTING OF 2,598 HECTARES SITUATED IN THE MUNICIPALITIES OF DIPLAHAN AND SIAY, PROVINCE OF ZAMBOANGA DEL SUR AND RESERVING THE SAME FOR SETTLEMENT PURPOSES UNDER THE ADMINISTRATION AND DISPOSITION OF THE MINISTRY OF AGRARIAN REFORM

WHEREAS, the Sangguniang Bayan of Diplahan and Siay and Sangguniang Panlalawigan of Zamboanga del Sur and the Executive Officer of the Philippine Australian Development Assistance Program (PADAP) have requested for the release from the coal mining reservation established under Presidential Proclamation No. 284, Series of 1938, as amended by Presidential Proclamation No. 402, Series of 1953, certain portions thereof consisting of 2, 598 hectares situated in Diplahan and Siay, Province of Zamboanga del Sur and reserving the same for settlement purposes under the administration and disposition of the Ministry of Agrarian Reform;

WHEREAS, the Ministry of Energy, thru the Bureau of Energy Development, after geological investigation have found the area requested to have no indication of potential coal deposits and therefore, interposed no objection to its release from the mining reservation for agricultural resettlement project;

WHEREAS, the subject land has been identified and verified by the Regional Resettlement Survey and Review Composite Team of Region IX, Zamboanga City and the National Resettlement

Survey and Review Committee to be suitable for an agricultural settlement;

WHEREAS, it is the concern and commitment of the government to provide deserving landless farmers with potentially productive public agricultural lands which they can develop as their own and make it productive with the technical and material assistance of the government in the economic development of the country;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the power vested in me by law, and upon recommendation of the Minister, Ministry of Agrarian Reform; the Minister of the Ministry of Natural Resources and the Ministry of Energy, do hereby release from the operation of Presidential Proclamation No. 284, Series of 1938, as amended by Presidential Proclamation No. 402, Series of 1953, certain portions thereof consisting of 2,598 hectares, more or less and reserve the same for resettlement purposes under the administration and disposition of the Ministry of Agrarian Reform pursuant to the provisions of R.A. 3844, as amended, subject however, to private rights, if any there be, and to future classification and survey, which areas is more particularly described as follows:

TECHNICAL DESCRIPTION OF
SIBUGUEY VALLEY RESETTLEMENT PROJECT

A parcel of land of the public domain situated in the Municipalities of Diplahan and Siay, Province of Zamboanga del Sur; Beginning at point one (1) which is the NW corner point of Coal Block No. 41-N-318 having geographical coordinates: 7°46'00"0 North Latitude and 122°55'30"0 East Longitude located in the Municipality of Imelda, Zamboanga del Sur. From point one (1) this boundary shall run on the bearing of S 89°59'29"6E for distance of 2,757.528 meters to point two (2):

THENCE DUE NORTH 1,804.112 m to point 3

- ” N 48°33’31” 2 E 2,843.194 m to point 4
- ” S 89°59’41”9 E 626.384 m to point 5
- ” DUE SOUTH 4,782.272 m to point 6
- ” S 33°20’02”1 W 2,330.639 m to point 7
- ” S 48°49’01”6 W 1,381.944 m to point 8
- ” N 66°49’04”6 W 3,100.189 m to point 9
- ” N 28°59’ 29”7 W 3,103.486 m to point 10
- ” S 89°59’29”7 W 1,124.446 m to point 1

which is the point of beginning, containing an approximate area of 2,598.5881 hectares.

In order to accelerate the development of the area, in accordance with the Area Development Plans and Programs of the Ministry of Agrarian Reform and other government agencies concerned including local government along the concept of agricultural group resettlement, the Ministry of Agrarian Reform is hereby authorized to cut, remove and dispose of the timber stand within the alienable and disposable areas for the development of the settlement and as assistance to settler-beneficiaries, subject however, to the Bureau of Forest Development rules and regulations and its programs on water conservation and land utilization programs of other government agencies concerned.

IN WITNESS WHEREOF, I have hereunto set my hand and cause the seal of the Republic of the Philippines to be affixed.

Done in the City of Manila, this 14th day of March, in the year of Our Lord, nineteen hundred and eighty-four.

(Sgd.) FERDINAND E. MARCOS
President of the Philippines

By the President:

(Sgd.) JUAN C. TUVERA
Presidential Executive Assistant

Proc. 2342 s. 1984 amended Proc. 284 s. 1938.

MALACAÑANG
Manila

BY THE PRESIDENT OF THE PHILIPPINES

PROCLAMATION NO. 2382, s. 1984

DECLARING THE PERIOD FROM OCTOBER 15 TO 21, 1984 AS
AGRARIAN REFORM WEEK

WHEREAS, agrarian reform is a program of the State aimed at emancipating the tenant from the bondage of the soil and achieving the goals enunciated in our Constitutions;

WHEREAS, Presidential Decree No. 27 was promulgated to give meaning and substance to the said program;

WHEREAS, it is fitting and proper to declare an agrarian reform week to celebrate the anniversary of this significant event in our history to focus national attention to Small Farmers Emancipation and to give more support to this endeavor;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby declare the period from October 15 to 21, 1984, an Agrarian Reform Week under the auspices of the Ministry of Agrarian Reform, Land Bank of the Philippines, Philippine Crop Insurance Corporation and duly organized farmers associations.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the Republic of the Philippines to be affixed.

Done in the City of Manila, this 4th day of October, in the year of Our Lord, nineteen hundred and eighty-four.

(Sgd.) FERDINAND E. MARCOS
President of the Philippines

By the President:

(Sgd.) JUAN C. TUVERA
Presidential Executive Assistant

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

PROCLAMATION NO. 2459, s. 1985

DECLARING THE PERIOD FROM OCTOBER 21 TO 27, 1985 AS
AGRARIAN REFORM WEEK

WHEREAS, a milestone in our agrarian reform program was the promulgation of P.D. 27 on October 21, 1972, emancipating tenants from feudal bondage;

WHEREAS, agrarian reform has strengthened the security of tenure of the farmers and improved their social and economic conditions and is now being pursued as a support measure to the national economic recovery program;

WHEREAS, it is fitting and proper to declare an agrarian reform week to celebrate the anniversary of this significant event in our history to focus national attention on Tenant Emancipation as a turning point in our efforts at national development;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby declared the period from October 21 to 27, 1985 as AGRARIAN REFORM WEEK under the auspices of the Ministry of Agrarian Reform, Land Bank of the Philippines, Philippine Crop Insurance Corporation and duly organized farmers associations.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the Republic of the Philippines to be affixed.

Done in the City of Manila, this 10th day of October, in the year of Our Lord, nineteen hundred and eighty-five.

(Sgd.) FERDINAND E. MARCOS
President of the Philippines

By the President:

(Sgd.) JUAN C. TIVERA
Presidential Executive Assistant

MALACAÑANG
Manila

BY THE PRESIDENT OF THE PHILIPPINES

PROCLAMATION NO. 2479, s. 1986

RESERVING FOR SETTLEMENT PURPOSES CERTAIN PARCELS OF LAND OF THE PUBLIC DOMAIN SITUATED IN THE MUNICIPALITY OF CATEEL, PROVINCE OF DAVAO, ISLAND OF MINDANAO, PHILIPPINES UNDER THE ADMINISTRATION AND DISPOSITION OF THE MINISTRY OF AGRARIAN REFORM

WHEREAS, the government has embarked into a program of identification, segregation and setting-up of more resettlement projects throughout Mindanao which could be made available for disposition to the rebel returnees, evacuees from the troubled areas in Mindanao and other deserving qualified landless farmers;

WHEREAS, there are sizeable and available parcels of land of the public domain which were identified and verified by the Ministry of Agrarian Reform and Ministry of Natural Resources including other coordinating government agencies to be available and suitable for agricultural cultivation and reservation as a resettlement project, situated in the Municipality of Cateel, Province of Davao Oriental;

NOW, THEREFORE, upon the recommendation of the Minister, Ministry of Agrarian Reform with the concurrence of the Minister, Ministry of Natural Resources I, FERDINAND E. MARCOS, President of the Republic of the Philippines, by virtue of the power vested in me by law, do hereby reserve for settlement purposes under the administration and disposition of the Ministry of Agrarian Reform subject however to private rights, if any there be, certain parcels of land of the public domain, situated in the Municipality of Cateel, Province of Davao Oriental, Island of Mindanao, which parcels of land are more particularly described as follows:

TECHNICAL DESCRIPTION

“A parcel of land (Proposed Cateel Resettlement Project CR-367 situated in the Municipality of Baganga and Cateel, Province of Davao Oriental, Island of Mindanao. Bounded on the NE. points 1-3 by Cateel Bay; on the SE., points 3-6 by Block A, Proj. No. 11-C, LC-2660; on the SW., and W., points 10-22 by unclassified land; on the NW., E., and W., points 22 to 25 by Proj. No. 12, Block A, LC-2660; and on the N., and NE., points 25-1 by Manat River. Beginning at a point marked “1” on plan being the mouth of Manat River.

thence follows coast line in general SE direction about 15,700 m. to point “2”;

thence follows F.Z. corner No. 219 to 221 Block II, A or D, Project No. 17 in straight distance of 1,600.00 m. to point “3”;

thence follows Cadungunan Creek upstream in general SW direction about 900.00 m. to point “4”;

thence follows F.Z. corner No. 214-217, Block A, A or D, Project No. 11, in general SW direction in straight distance about 1,950.00 m. to point “5”;

thence follows F.Z. corner No. 3-35 of Block 1-A or D, Project No. 12 in general SW direction in straight distance of 14,500.00 m. to point “6”;

thence follows F.Z. corners 35 to 55, Block 1, A or D, Project No. 12 in general NW direction in straight distance of about 5,100 m. to point “7”;

thence follows Cateel River, upstream in general SW direction about 1500.00 m. to point “8”;

thence follows F.Z. corners No. 1 to 10, Block III, A or D, Project No. 77-C in general SW direction about 2,750.00 m. to point “9”;

thence N. 87 deg. 00'W., 420 m. to point “10”;

thence N. 30 deg. 00'W., 920 m. to point “11”;

thence N. 6 deg. 00'W., 550 m. to point “12”;

thence N. 34 deg. 00'W., 1,200 m. to point “13”;

thence N. 47 deg. 00'W., 300 m. to point “14”;

thence N. 3 deg. 00'W., 7,160 m. to point “15”;

thence N. 35 deg. 00'W., 1,000 m. to point “16”;

thence N. 17 deg. 00'W., 570 m. to point "17";
thence N. 8 deg. 00'W., 1,000 m. to point "18";
thence N. 63 deg. 00'W., 600 m. to point "19";
thence N. 19 deg. 00'W., 370 m. to point "20";
thence N. 79 deg. 00'W., 660 m. to point "21";
thence follows Juid River upstream in general NE direction
about 400 m. to point "22";
thence follows F.Z. corners No. 272-250, Block A, Proj. No. 12
LC-2660 in general SE direction about 2,630.00 m. to point
"23";
thence follows F.Z. corner No. 1 to 15, Block D, T.L. Proj. No.
11-C in general SE direction 3,450 m. to point "24";
thence F.Z. corners No. 33-143, Block I, A or D, Proj. No. 12,
LC-2660 in general NW direction about 7,300.00 m. to point
"25";
thence follows Manat River, downstream in general NE
direction about 3,750.00 m. to point of beginning,

containing an area of nine thousand four hundred seventy five (9,475) hectares, more or less. All points referred to are indicated on plan and are marked on the ground as follows: point 1-2 and 10-25 x mark on ground; point 3 is a coconut tree; point 4 is a TOOG TREE; point 5 is a Tara-Tara Tree 35 inches in diameter; point 6 is a Malakamias Tree 70 inches in diameter; point 7 is a Toog Tree 70 inches in diameter; point 8 is a Pugurigan Tree 40 cm. in diameter and point 9 is a K Banay Tree 45 inches in diameter. This parcel of land is subject to future surveys."

The Ministry of Agrarian Reform with the assistance of other government agencies concerned is hereby directed to prepare the area development plan work program, cost estimates, work papers and other technical plans and designs necessary for the total development of the settlement area.

The Bureau of Forest Development is hereby directed to undertake the classification of all timberland areas embraced by the proclamation and to release as alienable and disposable all areas which are suitable for agricultural purposes, and to issue

the necessary licenses and/or permits in favor of the Ministry of Agrarian Reform for cutting and disposition of timber within the reservation to be used in the development of the resettlement project in accordance with the Ministry of Natural Resources rules and regulations governing the matter.

For purposes of maintaining a balance ecosystem in the proclaimed area and to insure a sustained and sufficient surface water supply, all government projects within the settlement relative thereto shall be respected and all rules and regulations of the different government agencies concerned regarding forest conservation, water conservation, preservation of wild life and soil preservation should be strictly observed and included in the development program of the settlement. Towards this end, the Ministry of Natural Resources is hereby directed to reexamine all logging permits and/or licenses, if any, within the area with the view to cancel and/or amend the same if circumstances so warrant to achieve the purposes of this proclamation.

The Ministry of Agrarian Reform is hereby authorized to issue patents and/or Certificates of Land Transfers to the settlers who have complied with the rules and regulations promulgated pursuant to the provisions of Sec. 51, R.A. 3844, as amended.

IN WITNESS WHEREOF, I hereunto set my hand and caused the seal of the Republic of the Philippines to be affixed.

Done in the City of Manila, this 29th day of January, in the year of Our Lord, nineteen hundred and eighty-six.

(Sgd.) FERDINAND E. MARCOS
President of the Philippines

By the President:

(Sgd.) JOAQUIN T. VENUS, JR.
Deputy Presidential Executive Assistant

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

PROCLAMATION NO. 2484, s. 1986

DECLARING THE KARAGAN VALLEY RESETTLEMENT PROJECT IN THE PROVINCE OF DAVAO DEL NORTE AS A CIVIL RESERVATION EXCLUSIVELY FOR THE MANSAKA AND MANDAYA TRIBES AND OTHER CULTURAL MINORITIES

Upon the recommendation of the Minister of Natural Resources and with the concurrence of the Minister of Agrarian Reform and pursuant to the authority vested in me by the Constitution I, FERDINAND E. MARCOS, hereby declare the Karagan Valley Resettlement Project in the Municipalities of San Mariano, Maco and Mabini, Province of Davao del Norte as a civil reservation exclusively for settlement by, and disposition to, the Mansaka and Mandaya Tribes and other cultural Minorities, subject to private rights, if any.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the Republic of the Philippines to be affixed.

Done in the City of Manila, Philippines, this 29th day of January, in the year of Our Lord, nineteen hundred and eighty-six.

(Sgd.) FERDINAND E. MARCOS
President of the Philippines

By the President:

(Sgd.) JUAN C. TUVERA
Presidential Executive Assistant

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AFP **SEE** **Armed Forces of the Philippines**

AIDA **SEE** **Agro-Industrial Development Areas**

AMCFP **SEE** **Agro-Industry Modernization Credit and Financing Program**

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- Expropriation* EO 1035 s. 1985
 - Surveys* EO 1035 s. 1985
- Consultas** PD 1817
- Convergence of Flagship Programs and Projects** Proc. 548 s. 1995
- Cooperative Code of the Philippines** RA 6938; RA 9520
- Cooperative Development Authority** RA 6938; RA 9520
- Cooperative financing system**
 - Administration* RA 821
- Cooperative unions** RA 9520
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 - Administration* RA 6938; RA 9520
 - Agrarian Reform* RA 9520
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 - Organization* RA 6938; RA 9520
 - Powers and Capacities* RA 6938
 - Registration* RA 6938; RA 9520
 - Types* RA 6938
- Corn**
 - Production* PD 1947
- Corn-Based Farmer-Scientist Research, Development and Extension (RDE) Training Program (FSTP)**
 - Adoption* EO 710 s. 2008
 - Coverage* EO 710 s. 2008
 - Funds**
 - Source* EO 710 s. 2008
 - Institutional arrangements* EO 710 s. 2008
 - Inter-agency coordination**
 - Law and legislation* EO 710 s. 2008
 - Local Government Units (LGUs)** EO 710 s. 2008
 - Duties* EO 710 s. 2008
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 - Scope* EO 710 s. 2008
- Corn industry** PD 4
- Corn lands** Proc. 2022 s. 1980; Proc. 2122 s. 1981; Proc. 2234 s. 1982; RA 6657
- Corporation Law** CA 441
- Cotton Development Administration (CODA)** RA 8486
- Cotton farmers** RA 8486

Cotton Industry Development Law of 1998 RA 8486

Cotton Research and Development Institute (CRDI) RA 8486

Council for Extension, Research and Development in Agriculture and Fisheries (CERDAF)

Composition EO 127 s. 1999

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Council for Investments in Trade, Industry, Tourism, Agriculture, Natural Resources, Transportation, Communications and Services

Abolition EO 180 s. 1999

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Officials and employees

Transfer EO 180 s. 1999

Countryside Agro-Industrial Development Strategy (CAIDS) EO 511 s. 1992

Court of First Instance ACT 496

Court of Industrial Relations CA 461

Court of Land Registration ACT 496

Courts of Agrarian Relations PD 316; PD 583; PD 816; RA 4886; RA 5984; RA 6389

Creation RA 3844

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Credit Memo Advise System EO 407 s. 1990

Crop Insurance Program RA 8175

Crop sharing PD 1040

Crops RA 1199

Cuenco, Rosa

Property of LOI 1273

Cultural communities RA 9054

D

DA SEE Department of Agriculture

DAR SEE Department of Agrarian Reform

DBM SEE Department of Budget and Management

DBP SEE Development Bank of the Philippines

DENR **SEE** Department of Environment and Natural Resources
 DepED **SEE** Department of Education
 DFA **SEE** Department of Foreign Affairs
 DHSUD **SEE** Department of Human Settlements and Urban Development
 DILG **SEE** Department of the Interior and Local Government
 DND **SEE** Department of National Defense
 DNR **SEE** Department of Natural Resources
 DOF **SEE** Department of Finance
 DOH **SEE** Department of Health
 DOJ **SEE** Department of Justice
 DOLE **SEE** Department of Labor and Employment
 DOST **SEE** Department of Science and Technology
 DOT **SEE** Department of Tourism
 DOTC **SEE** Department of Transportation and Communications
 DPS **SEE** Direct Payment Scheme
 DPWH **SEE** Department of Public Works and Highways
 DSWD **SEE** Department of Social Welfare and Development
 DTI **SEE** Department of Trade and Industry

DA-DAR-DENR Convergence Initiative EO 26 s. 2011

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Department of Agrarian Reform (DAR) AO 176 s. 2007; AO 206 s. 1995; AO 226 s. 2008; AO 226-A s. 2008; BP 337 §208; BP 649; BP 869; BP 870; EO 8 s. 2001; EO 26 s. 2011; EO 124, s. 1993; EO 129, s. 1987; EO 129-A, s. 1987; EO 290 s. 2000; EO 347 s. 1971; EO 360 s. 1989; EO 405, s. 1990; EO 406 s. 1990; EO 407 s. 1990; EO 710, s. 2008; PD 287; PD 583; PD 717; Proc. 82 s. 1987; Proc. 136 s. 1993; Proc. 196 s. 1987; Proc. 245 s. 1993; Proc. 246 s. 1988; Proc. 254 s. 1993; Proc. 289 s. 1993; Proc. 392 s. 1994; Proc. 418 s. 1994; Proc. 446 s. 1994; Proc. 454 s. 1994; Proc. 455 s. 1994; Proc. 547 s. 1995; Proc. 741 s. 2004; Proc. 835 s. 1991; Proc. 858 s. 1996; Proc. 900 s. 1996; Proc. 942 s. 1996; Proc. 1495-A s. 1995; Proc. 1496 s. 1975; Proc. 1497 s. 1975; Proc. 1498 s. 1975; Proc. 1499 s. 1975; Proc. 1500 s. 1975; Proc. 1530 s. 1976; Proc. 1531 s. 1976; Proc. 1679 s. 1977; Proc. 1798-A s. 1978; RA 3844; RA 6538; RA 6657; RA 6938; RA 7900; RA 7900; RA 8435; RA 9520; RA 9593; RA 9700; RA 10000; RA 10176; RA 10601; RA 10659; RA 10915; RA 11201; RA 11203

Agrarian Reform Coordinating Council

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Agrarian reform development projects EO 406 s. 1990

Appropriations EO 347 s. 1971

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Authority EO 129 s. 1987; EO 129-A s. 1987; EO 407 s. 1990; Proc. 1195 s. 1973

Budget

Transfer

Autonomous Regional Government (ARG) EO 482 s. 1991

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Justice Milagros A German Hall Proc. 708 s. 1995

Bureaus

Bureau of Agrarian Legal Assistance EO 129 s. 1987; EO 129-A s. 1987; EO 347 s. 1971; RA 6389

Bureau of Agrarian Reform Beneficiaries Development EO 129 s. 1987; EO 129-A s. 1987

Bureau of Agrarian Reform Information and Education EO 129 s. 1987; EO 129-A s. 1987

Bureau of Farm Management EO 347 s. 1971; RA 6389

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Bureau of Land Acquisition and Distribution EO 129 s. 1987; EO 129-A s. 1987

Bureau of Land Acquisition, Distribution and Development EO 347 s. 1971; RA 6389

Bureau of Land Development

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Bureau of Land Tenure Improvement

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Bureau of Lands **SEE ALSO Bureau of Lands**
 RA 10574

Bureau of Resettlement Proc. 1798-A s. 1978; RA 6389

Census and Statistics Division EO 347 s. 1971

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Autonomous Regional Government (ARG) EO 482 s. 1991

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Right of first refusal EO 360 s. 1989

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National Commission on Indigenous Peoples' (NCIP) **SEE ALSO**

National Commission on Indigenous Peoples' (NCIP)

EO 364 s. 2004; EO 379 s. 2004; EO 726 s. 2008

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Foundation for the Agrarian Reform Movement of the Philippines

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Field Operations Office

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Legal Affairs Office

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Municipal Agrarian Reform Offices

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Planning and Project Management Office

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Policy and Strategic Research Office

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Provincial Offices

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Regional Offices

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Officials and employees EO 129 s. 1987; EO 129-A s. 1987

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Composition EO 129 s. 1987

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Composition EO 129-A s. 1987

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Autonomous Regional Government (ARG) EO 482 s. 1991

Presidential Commission on the Urban Poor (PCUP) **SEE ALSO**

Presidential Commission on the Urban Poor (PCUP)

EO 364 s. 2004

Programs

Transfer

Autonomous Regional Government (ARG) EO 482 s. 1991

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Autonomous Regional Government (ARG) EO 482 s. 1991

Rationalization and Streamlining Plan (RSP)

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Source EO 290 s. 2000

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Autonomous Regional Government (ARG) EO 364 s. 2004

Regional Development Councils (RDC)

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Renamed EO 456 s. 2005

Tenants' Emancipation Day Proc. 1193 s. 1973

Transformation EO 364 s. 2004

Reorganization EO 129 s. 1987; EO 129-A s. 1987

Responsibility EO 710 s. 2008

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Services

Administrative, Personnel and Management Service EO 129 s. 1987

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Department of Agriculture (DA) AO 182 s. 1969; AO 200 s. 1970; AO 206 s. 1995; AO 363 s. 1997; EO 8 s. 2001; EO 26 s. 2011; EO 148 s. 2021; EO 168 s. 2022; EO 407 s. 1990; Proc. 82 s. 1987; Proc. 547 s. 1995; Proc. 548 s. 1995; Proc. 635 s. 1959; RA 7900; RA 10000; RA 10176; RA 10601; RA 10659

Authority EO 407 s. 1990

National Irrigation Administration

Attachment EO 168 s. 2022

Philippine Crop Insurance Corporation (PCIC)

Detachment EO 148 s. 2021

Transfer EO 148 s. 2021

Philippine Rice Research Institute (PHILRICE)

Detachment EO 76 s. 2002

Transfer EO 76 s. 2002

Department of Agriculture and Food **SEE Department of Agriculture (DA)**

Department of Agriculture and Natural Resources **SEE Department of Agriculture (DA); Department of Environment and Natural Resources (DENR)**

Department of Budget and Management (DBM) EO 26 s. 2011

Department of Education (DepED) AO 206 s. 1995; EO 26 s. 2011

Department of Education, Culture and Sports (DECS) **SEE Department of Education (DepED)**

Department of Environment and Natural Resources (DENR) AO 363 s. 1997; EO 26 s. 2011; EO 407 s. 1990; EO 726 s. 2008; PD 389; Proc. 82 s.

1987; Proc. 196 s. 1987; Proc. 246 s. 1988; Proc. 254 s. 1993; Proc. 289 s. 1993; Proc. 392 s. 1994; Proc. 418 s. 1994; Proc. 446 s. 1994; Proc. 454 s. 1994; Proc. 455 s. 1994; Proc. 547 s. 1995; Proc. 742 s. 1996; Proc. 741 s. 2004; Proc. 858 s. 1996; Proc. 900 s. 1996; Proc. 942 s. 1996; Proc. 1498 s. 1975; RA 10176; RA 10915

Authority EO 407 s. 1990

National Commission on Indigenous Peoples (NCIP) EO 11 s. 2010; EO 726 s. 2008

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Transfer EO 11 s. 2010

Department of Finance (DOF)

Philippine Crop Insurance Corporation (PCIC)

Attachment EO 148 s. 2021

Transfer EO 148 s. 2021

Department of Foreign Affairs (DFA) AO 206 s. 1995

Department of Health (DOH) AO 206 s. 1995; EO 562 s. 2006; RA 6538

Regional Development Councils (RDC) EO 562 s. 2006

Membership EO 562 s. 2006

Reinstatement EO 562 s. 2006

Department of Human Settlements and Urban Development (DHSUD)

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Department of Human Settlements and Urban Development Act RA 11201

Department of Justice (DOJ) AO 182 s. 1969; AO 200 s. 1970; CA 461

Ministry of Justice EO 1059 s. 1985

Department of Labor and Employment (DOLE) AO 206 s. 1995

Ministry of Labor and Employment EO 1059 s. 1985

Department of Land Reform **SEE Department of Agrarian Reform**

Department of Natural Resources **SEE Department of Environment Natural Resources (DENR)**

Department of National Defense (DND) AO 206 s. 1995; Proc. 1954 s. 1980

Department of Public Works and Communications **SEE Department of Public Works and Highways (DPWH)**

Department of Public Works and Highways (DPWH) AO 182 s. 1969; AO 200 s. 1970; AO 206 s. 1995; BP 220; EO 8 s. 2001

Department of Science and Technology (DOST) AO 206 s. 1995; EO 8 s. 2001

Department of Social Welfare and Development (DSWD) EO 26 s. 2011

Department of the Interior and Local Government (DILG) AO 206 s. 1995; EO 8 s. 2001; EO 562 s. 2006

Regional Development Councils (RDC) EO 562 s. 2006

Membership EO 562 s. 2006

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Department of Tourism (DOT) AO 206 s. 1995; RA 9458; RA 9593

Department of Trade and Industry (DTI) AO 363 s. 1997; EO 8 s. 2001;
RA 7652

Department of Transportation and Communications (DOTC) AO 206 s.
1995; EO 8 s. 2001

Development Bank of the Philippines (DBP) RA 7900

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Direct Payment Scheme (DPS) AO 363 s. 1997

Donor's Tax

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E

ECC SEE **Environmental Compliance Certificate**

EMB SEE **Environmental Management Bureau**

Ecological balance RA 9054

Ejectment cases PD 1038

Emancipation patents LOI 1391

Environment protection RA 10068; RA 11511

Environmental Compliance Certificate (ECC) AO 363 s. 1997

Environmental Management Bureau (EMB) RA 7881

Environmentally Critical Areas AO 363 s. 1997

Executive Committee

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Office of the Presidential Adviser on the Peace Process EO 203 s. 1994

Officials and employees

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Social Reform Agenda Council EO 203 s. 1994

F

FARM-Philippines **SEE Foundation for the Agrarian Reform Movement of the Philippines**

FMSJR **SEE Federated Movement for Social Justice and Reforms**

Famy-Infanta Forest Reserve Proc. 196 s. 1987

Farm Mechanization Program PD 287; RA 10659

Farm practices

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Farmers AO 200 s. 1970; BP 870; Proc. 131 s. 1987; Proc. 1497 s. 1975; Proc. 2022 s. 1980; Proc. 2122 s. 1981; Proc. 2234 s. 1982; Proc. 2316 s. 1983; Proc. 2382 s. 1984; Proc. 2459 s. 1985; RA 8175; RA 10574

Assistance LOI 1035

Muslim Proc. 1495-A s. 1995; Proc. 1499 s. 1975

Yakan Proc. 1531 s. 1976

Farmers Trust Development Program

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Department of Finance (DOF)

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Establishment EO 151 s. 1999

Farmers Trust Development Fund EO 151 s. 1999

Farmers Trust Guaranty Fund EO 151 s. 1999

Funds EO 151 s. 1999

Program committee

Composition EO 151 s. 1999

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Quedan and Rural Credit Guarantee Corporation

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Rules and regulation EO 151 s. 1999

Farmholdings PD 316; PD 583; PD 815

Federated Movement for Social Justice and Reforms (FMSJR) AO 182 s. 1969; AO 200 s. 1970

Fertilizer and Pesticide Authority RA 7881

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Fire Code of the Philippines BP 220

Fisheries RA 8435

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Fish ponds

Conversion RA 7881

Food and Jobs Council **SEE National Council on Food Security and Job**

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Foundation for the Agrarian Reform Movement of the Philippines (FARM-Philippines)

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Authority EO 129 s. 1987; EO 129-A s. 1987

Creation EO 129 s. 1987

Functions EO 129 s. 1987; EO 129-A s. 1987

Supervision EO 129-A s. 1987

G

GFI **SEE Government Financing Institutions**

Global YES **SEE Global Youth Earthsaving Summit**

Game reserves

Real, Quezon Proc. 196 s. 1987

Garchitorea land

Camarines Sur AO 127 s. 1989

General Ricarte Agricultural Cooperative LOI 253

Global Indigenous Cultural Olympics and Summit for Peace and Sustainable Development AO 206 s. 1995

Global Youth Earthsaving Summit (Global YES) AO 206 s. 1995

Government bonds

Eligibility EO 659 s. 2007

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Negotiability EO 659 s. 2007

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Usage

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Government Financing Institutions (GFIs) RA 8425

Government reserved lands

- Bobon, Northern Samar* Proc. 1209 s. 1998
- Bongabon, Province of Nueva Ecija* Proc. 983 s. 1972
- Bubong, Province of Lanao del Sur* Proc. 1195 s. 1973
- Catarman, Northern Samar* Proc. 1209 s. 1998
- Disposition* Proc. 345 s. 1938; Proc. 1195 s. 1973
- Dupax, Province of Nueva Ecija* Proc. 983 s. 1972
- Kisolon, Impasugong, Province of Bukidnon* Proc. 300 s. 1938
- Libona, Province of Bukidnon* Proc. 345 s. 1938
- Lumba-A-Bayabao, Province of Lanao del Sur* Proc. 1195 s. 1973
- Maguing, Province of Lanao del Sur* Proc. 1195 s. 1973
- Maria Aurora, Aurora* Proc. 983 s. 1972
- Milagros, Province of Masbate* Proc. 357 s. 1965
- Poblacion, Barangay, Muntinlupa City* Proc. 1159 s. 2006
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- Eligibility* EO 659 s. 2007
- Features* EO 659 s. 2007
- Issuance* EO 267 s. 1995
- Negotiability* EO 659 s. 2007
- Transferability* EO 659 s. 2007
- Usage**
 - Payments* EO 659 s. 2007

H

- HLURB** SEE **Housing and Land Use Regulatory Board**
- HUDCC** SEE **Housing and Urban Development Coordinating Council**
- HVCDF** SEE **High-Value Crops Development Fund**

Haciendas San Antonio and Sta. Isabel LOI 1180

Hand tractors

- Acquisition* PD 287

High-Value Crops Development Act of 1995 RA 7900

High-Value Crops Development Fund RA 7900

Home lots LOI 46 s. 1972

Housing and Land Use Regulatory Board (HLURB) AO 363 s. 1997; EO 124 s. 1993; RA 11201

Housing and Urban Development Coordinating Council (HUDCC) EO 124 s. 1993; RA 11201

HUK VETS Association, Inc. LOI 650

Human Settlements Proc. 1893 s. 1979; Proc. 1954 s. 1980

Human Settlements Commission PD 815

Human Settlements Regulatory Commission

Reorganization AO 363 s. 1997

Hybrid Rice Program EO 76 s. 2002

I

IACC-LAMP SEE **Inter-Agency Coordinating Committee to Prepare and Coordinate Implementation of a Land Administration and Management Program**

ILO SEE **International Labour Organization (ILO)**

IPs SEE **Indigenous Peoples**

ITI SEE **International Theatre Institute**

Igorot LOI 1275

Ilocos Sur Stock Farm

Daing, Cervantes Proc. 190 s. 1955

Indigenous Cultural Communities

Lands RA 9054

Indigenous Peoples (IPs) AO 206 s. 1995; Proc. 547 s. 1995

Indigenous Peoples Rights Act EO 11 s. 2010

Integrated National Police BP 220

Inter-Agency AIDA Task Force

Authority EO 511 s. 1992

Composition EO 511 s. 1992

Creation EO 511 s. 1992

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Inter-Agency Coordinating Committee to Prepare and Coordinate Implementation of a Land Administration and Management Program (IACC-LAMP)

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Inter-Agency Project Coordinating Committee (IPCC)

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Inter-Agency Steering Committee

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Comprehensive Land Use Plans (CLUPs) EO 204 s. 2000

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Inter-agency coordination EO 204 s. 2000

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Technical working groups EO 204 s. 2000

Inter-Agency Task Force on Zero Hunger

Composition EO 101 s. 2020

Creation EO 101 s. 2020

Functions EO 101 s. 2020

Funds EO 101 s. 2020

Interagency coordination EO 101 s. 2020

Officials and employees EO 101 s. 2020

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International Conference and Festival for Indigenous and Traditional Cultures AO 206 s. 1995

International Decade of the World's Indigenous Peoples

National Committee

Composition AO 206 §1

Functions AO 206 §2

Funding AO 206 §3

International Labour Organization (ILO)

Convention 169 AO 206 s. 1995

International Theatre Institute (ITI) AO 206 s. 1995

International Year for the World's Indigenous Peoples AO 206 s. 1995

Inventory of Lands and Sites for Socialized Housing

Guidelines EO 124 s. 1993

Investors' Lease Act RA 7652

Irrigation Service Unit (DPWC) EO 76 s. 1964

Irrigation systems RA 34

J

Jacinto Estate

Acquisition LOI 370

Justice Milagros A German Hall Proc. 708 s. 1995

K

KKK program LOI 1275

Karagan Valley Resettlement Project Proc. 2484 s. 1986

L

LASEDCO **SEE Land Settlement and Development Corporation**

LGUs **SEE Local Government Units**

LMB **SEE Land Management Bureau**

Labor Code of the Philippines LOI 1035

Laguna Resettlement Project PD 1474

Land, Acquisition of Proc. 136 s. 1993

Land, Alienable Proc. 196 s. 1987; Proc. 454 s. 1994

Land amortization

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Condonation EO 1083 s. 1986

Land Authority AO 72 s. 1963; RA 3844; RA 6389

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Employee fringe benefits PD 1039

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Land capability for agriculture EO 405 s. 1990

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Valuation EO 405 s. 1990

Land titles

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Land transfer payments EO 267 s. 1995

Organizational structure PD 444

Real property

Compensation EO 405 s. 1990

Valuation EO 405 s. 1990

Reorganization PD 85 s. 1972

Responsibility EO 405 s. 1990
Voluntary Offer to Sell (VOS) EO 405 s. 1990

Land capability for agriculture

Acquisition EO 75 s. 2019
Distribution EO 75 s. 2019
Identification EO 75 s. 2019
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Rules and regulation EO 75 s. 2019
Segregation EO 75 s. 2019
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Validation EO 75 s. 2019

Land classification PD 389

Land consolidation scheme LOI 253

Land conversion

Applications AO 226 s. 2008; AO 226-A s. 2008

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Identification EO 124 s. 1993
Regional agri-industrial centers (RAICs) EO 124 s. 1993
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Tourism development areas EO 124 s. 1993

Socialized housing

Evaluation EO 124 s. 1993
Identification EO 124 s. 1993
Selection EO 124 s. 1993

Land, Disposable Proc. 196 s. 1987; Proc. 454 s. 1994

Land disposition PD 1517; Proc. 246 s. 1988; Proc. 742 s. 1996; Proc. 1496 s. 1975; Proc. 1499 s. 1975; Proc. 1531 s. 1976

Surigao, Mindanao Proc. 454 s. 1994

Land districts

Officials and employees

Delegation of powers

Land grants EO 407 s. 1973
Land titles EO 407 s. 1973

Landforms

Classification Proc. 300 s. 1938; Proc. 345 s. 1938; Proc. 357 s. 1965; Proc. 983 s. 1972; Proc. 1108 s. 1997; Proc. 1159 s. 2006; Proc. 1195 s. 1973; Proc. 1209 s. 1998

Landholdings LOI 143

Payments LOI 1326

Settlement LOI 253

Landless farmers Proc. 254 s. 1993

Landlord and tenant ACT 4054; CA 178; AO 182 s. 1969; AO 200 s. 1970;
CA 461; RA 1199

Ejectment LOI 226 s. 1974

Contracts ACT 4113

Landlords ACT 4054; CA 178; RA 34

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1993; Proc. 708 s. 1995; Proc. 741 s. 2004; Proc. 1679 s. 1977; Proc. 1909
s. 1979, RA 9054

Acquisition Proc. 835 s. 1991

Special Committee on Reorganization of Agencies

Agriculture and Natural Resources AO 72 s. 1963

Budget AO 72 s. 1963

Finance AO 72 s. 1963

Justice AO 72 s. 1963

Labor AO 72 s. 1963

National Defense AO 72 s. 1963

National Economic Council AO 72 s. 1963

Public Works and Communications AO 72 s. 1963

Urban Proc. 1893 s. 1979

Land Reform Act of 1955 RA 1400

Land reform area PD 2

Land reform beneficiaries

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- Rules and regulation* EO 26 s. 1998
- Land Reform Education Fund**
- Trusts and trustees* EO 361 s. 1971
- Land Reform Program** AO 72 s. 1963; BP 870; PD 84; Proc. 1909 s. 1979
- Assistance* LOI 273
- Implementation** EO 150 s. 1968; LOI 46
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- Land Registration Act** ACT 496
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- Officials and employees* PD 1817
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- Land resettlement **SEE Land settlement**
- Land rights**
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- Land settlement** Proc. 196 s. 1987; Proc. 254 s. 1993; Proc. 295 s. 1993; Proc. 965 s. 1997
- Abuyog, Municipality of, Leyte* Proc. 418 s. 1994
- Arellano, Dinagat Island, Surigao del Norte* Proc. 295 s. 1993
- Arteche, Municipality of, Eastern Samar* Proc. 942 s. 1996
- Bamban, Municipality of, Tarlac* Proc. 1954 s. 1980
- Basey, Sta. Rita, Western Samar* Proc. 2292 s. 1983
- Bayang, Lanao del Sur* Proc. 1499 s. 1975
- Baybay, Municipality of, Leyte* Proc. 418 s. 1994
- Binindayan, Lanao del Sur* Proc. 1499 s. 1975
- Bobon, Northern Samar* Proc. 1209 s. 1998
- Bongabon, Province of Nueva Ecija* Proc. 983 s. 1972
- Bongabon Stock Farm* Proc. 861 s. 1992
- Borbon, Agusan del Sur* Proc. 742 s. 1996
- Bubong, Province of Lanao del Sur* Proc. 1195 s. 1973
- Budget* LOI 547
- Bumbaran, Municipality of, Lanao del Sur* Proc. 2046 s. 1981
- Butig, Lanao del Sur* Proc. 1499 s. 1975
- Calbiga, Municipality of, Samar* Proc. 392 s. 1994

- Catarman, Northern Samar* Proc. 1209 s. 1998
Cateel, Municipality of, Davao Proc. 2015 s. 1980
Cateel, Municipality of, Davao Oriental Proc. 2479 s. 1986
Claver, Surigao del Norte Proc. 295 s. 1993
- Colonization**
- Kapalong, Municipality of, Davao* Proc. 29 s. 1936
Tagum, Municipality of, Davao Proc. 29 s. 1936
Culat, Barrio of, Casiguran, Municipality of, Tayabas Proc. 467 s. 1939
Columbio, Municipality of, Sultan Kudarat Proc. 1496 s. 1975
Dasol, Municipality of, Pangasinan Proc. 455 s. 1994
Diffun, Municipality of, Quirino Proc. 900 s. 1996
Dinagat Island, Surigao del Norte Proc. 965 s. 1997
Dinaig, Municipality of, Maguindanao Proc. 1500 s. 1975
Diplahan, Municipality of, Zamboanga Proc. 983 s. 1972; Proc. 2342 s. 1984
Dupax, Municipality of, Nueva Vizcaya Proc. 1498 s. 1975
General Santos City, Mindanao Proc. 446 s. 1994; Proc. 858 s. 1996
Guadalupe, Agusan del Sur Proc. 742 s. 1996
Gigaquit, Surigao del Norte Proc. 295 s. 1993
Hilongos, Municipality of, Leyte Proc. 418 s. 1994
Hinunangan, Municipality of, Southern Leyte Proc. 246 s. 1988; Proc. 1497 s. 1975
Infanta, Municipality of, Pangasinan Proc. 455 s. 1994
Inopacan, Municipality of, Leyte Proc. 418 s. 1994
Isabela, Municipality of, Basilan Proc. 1531 s. 1976
Javier, Municipality of, Leyte Proc. 418 s. 1994
Jipapad, Municipality of, Eastern Samar Proc. 942 s. 1996
Kapai, Municipality of, Lanao Del Sur Proc. 1798-A s. 1978
Karomatan, Municipality of, Lanao del Norte Proc. 1495-A s. 1995
Kiblawan, Municipality of, Davao del Sur Proc. 1496 s. 1975
Lamitan, Municipality of, Basilan Proc. 1531 s. 1976
Libjo, Dinagat Island, Surigao del Norte Proc. 295 s. 1993
Loreto, Dinagat Island, Surigao del Norte Proc. 295 s. 1993
Lumba-A-Bayabao, Province of Lanao del Sur Proc. 1195 s. 1973
Lumbatan, Lanao del Sur Proc. 1499 s. 1975
Mabalacat, Pampanga Proc. 1954 s. 1980
Mabini, Municipality of, Pangasinan Proc. 455 s. 1994
Mabini, Municipality of, Davao del Norte Proc. 2484 s. 1986
Maco, Municipality of, Davao del Norte Proc. 2484 s. 1986
Maddela, Quirino Proc. 1498 s. 1975
Magsaysay, Municipality of, Davao del Sur Proc. 1496 s. 1975

- Maguing, Province of Lanao del Sur* Proc. 1195 s. 1973
Mahaplag, Municipality of, Leyte Proc. 418 s. 1994
Maluso, Municipality of, Basilan Proc. 1531 s. 1976
Maria Aurora, Aurora Proc. 983 s. 1972
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Muslims Proc. 1531 s. 1976
Nunungan, Municipality of, Lanao del Norte Proc. 1495-A s. 1995
Oras, Municipality of, Eastern Samar Proc. 942 s. 1996
Pagayawan (Tatarican), Lanao del Sur Proc. 1499 s. 1975
Palayan City, Nueva Ecija Proc. 861 s. 1992
Panamao, Sulu Proc. 136 s. 1993; Proc. 835 s. 1991; Proc. 1530 s. 1976
Pantabangan, Province of Nueva Ecija Proc. 983 s. 1972
Pinabacdao, Municipality of, Samar Proc. 392 s. 1994
Pinabacdao, Western Samar Proc. 2292 s. 1983
Prosperidad, Agusan del Sur Proc. 742 s. 1996
Puyo Island and Santiago, Loreto, Dinagat Island, Surigao del Norte Proc. 965 s. 1997
Sampaloc, Municipality of, Quezon Proc. 1540 s. 1976
San Jose & Dinagat, Dinagat Island, Surigao del Norte Proc. 295 s. 1993
San Juan, Municipality of, Southern Leyte Proc. 246 s. 1988; Proc. 1497 s. 1975
San Luis, Agusan del Sur Proc. 742 s. 1996
San Mariano, Municipality of, Davao del Norte Proc. 2484 s. 1986
San Policarpo, Municipality of, Eastern Samar Proc. 942 s. 1996
San Remigio, Municipality of, Antique Proc. 289 s. 1993
Santiago, Municipality of, Isabel **SEE Land settlement-Diffun, Municipality of, Quirino**
Siay, Municipality of, Zamboanga Proc. 2342 s. 1984
St. Bernard, Municipality of, Southern Leyte Proc. 246 s. 1988; Proc. 1497 s. 1975
Sta. Ines, Agusan del Sur Proc. 742 s. 1996
Talacogon, Agusan del Sur Proc. 742 s. 1996
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Tapaz, Municipality of, Capiz Proc. 2291 s. 1983
Tiptipon, Sulu Proc. 136 s. 1993; Proc. 835 s. 1991; Proc. 1530 s. 1976
Tubajon, Dinagat Island, Surigao del Norte Proc. 295 s. 1993; Proc. 965 s. 1997
Tuburan, Lanao del Sur Proc. 1499 s. 1975
Upi, Municipality of, Maguindanao Proc. 1500 s. 1975
Wao, Municipality of, Lanao del Sur Proc. 2046 s. 1981

Land Settlement and Development Corporation (LASEDECO)

Abolition RA 1160

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Board of Directors

Appointment EO 355 s. 1950

Composition EO 355 s. 1950

Duties EO 355 s. 1950

Powers EO 355 s. 1950

Tenure EO 355 s. 1950

Capital EO 355 s. 1950

Creation EO 355 s. 1950

Duties EO 355 s. 1950

Functions EO 355 s. 1950

Funds

Source EO 355 s. 1950

Management EO 355 s. 1950

Officials and employees

Appointments EO 355 s. 1950

Compensation EO 355 s. 1950

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Powers EO 355 s. 1950

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Powers EO 355 s. 1950

Land Tenure Administration RA 1400; RA 3844

Land titles Proc. 454 s. 1994

Application PD 1817

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Land use AO 226 s. 2008; AO 226-A s. 2008; AO 363 s. 1997; EO 124, s. 1993; Proc. 1159 s. 2006

Conversion AO 363 s. 1997

Culat, Barrio of, Casiguran, Municipality of, Tayabas Proc. 467 s. 1939

Diffun, Municipality of, Quirino Proc. 900 s. 1996

Non-Christians Proc. 900 s. 1996

Planning EO 124 s. 1993; Proc. 1159 s. 2006

Priority development areas

Agricultural lands EO 124 s. 1993

Evaluation EO 124 s. 1993

Identification EO 124 s. 1993

Regional agri-industrial centers (RAICs) EO 124 s. 1993

Regional industrial centers (RICs) EO 124 s. 1993

Tourism development areas EO 124 s. 1993

Rural

Bongabon, Nueva Ecija Proc. 635 s. 1959

Government policy EO 75 s. 2019

Santiago, Municipality of, Isabela **SEE Land use–Diffun, Municipality of, Quirino**

Socialized housing

Evaluation EO 124 s. 1993

Identification EO 124 s. 1993

Selection EO 124 s. 1993

Land valuation PD 1517; Proc. 136 s. 1993; Proc. 300 s. 1938; Proc. 345 s. 1938; Proc. 357 s. 1965; Proc. 1108 s. 1997; Proc. 1195 s. 1973; Proc. 1209 s. 1998

Launching of the NDC Agri-Agra Economic Recovery through Agricultural Productivity (ERAP) Bonds for Rural Development

Agri-Agra Law

Enforcement EO 83, s. 1998

Law and legislation EO 83 s. 1998

National Development Company (NDC)

Authority EO 83 s. 1998

NDC Agri-Agra ERAP Bonds

Funds EO 83 s. 1998

Management EO 83 s. 1998

Mobilization EO 83 s. 1998

Utilization EO 83 s. 1998

Legislative-Executive Development Advisory Council

Functions EO 203 s. 1994

Leasehold rentals PD 816

Local government

Construction projects

Feasibility study EO 1035 s. 1985

Information campaign EO 1035 s. 1985

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Payment EO 1035 s. 1985

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Taxation EO 1035 s. 1985

Displaced tenants/occupants

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Expropriation EO 1035 s. 1985

Right of way

Acquisition EO 1035 s. 1985

Displaced tenants/occupants EO 1035 s. 1985

Expropriation EO 1035 s. 1985

Payment EO 1035 s. 1985

Procedure EO 1035 s. 1985

Registration EO 1035 s. 1985

Taxation EO 1035 s. 1985

Surveys EO 1035 s. 1985

Local Government Code of 1991 AO 363 s. 1997; EO 124, s. 199; RA 8748

Local Government Units (LGUs) RA 8425

Luntiang Pilipinas EO 26 s. 2011

M

MBN SEE **Minimum Basic Needs**

MHS SEE **Ministry of Human Settlements**

MTPDP SEE **Medium Term Philippine Development Plan**

Magna Carta of Social Justice and Economic Freedom RA 6389

Mandaya Tribe Proc. 2484 s. 1986

Manila hemp RA 11700

Mansaka Tribe Proc. 2484 s. 1986

Masagana '99 LOI 571

Medium Term Philippine Development Plan (MTPDP) 1993-1998 EO 124 s. 1993

Microfinance Program RA 8425

Mineral Land Reservation

Alienable lands

Disposition Proc. 295 s. 1993; Proc. 965 s. 1997

Exclusion Proc. 295 s. 1993

Land use Proc. 295 s. 1993; Proc. 965 s. 1997

Arellano, Dinagat Island, Surigao del Norte Proc. 295 s. 1993
Cantilan, Surigao del Sur Proc. 454 s. 1994
Carrascal, Surigao del Sur Proc. 454 s. 1994
Claver, Surigao del Norte Proc. 295 s. 1993; Proc. 965 s. 1997
Dinagat Island, Surigao del Norte Proc. 965 s. 1997

Disposable lands

Disposition Proc. 295 s. 1993; Proc. 965 s. 1997
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Land use Proc. 295 s. 1993; Proc. 965 s. 1997
Gigaquit, Surigao del Norte Proc. 295 s. 1993;
Libjo, Dinagat Island, Surigao del Norte Proc. 295 s. 1993
Loreto, Dinagat Island, Surigao del Norte Proc. 295 s. 1993
Melgar, Dinagat Island, Surigao del Norte Proc. 295 s. 1993
Tubajon, Dinagat Island, Surigao del Norte Proc. 295 s. 1993; Proc. 965 s. 1997

Mineral Resources Development Decree of 1974 Proc. 454 s. 1994

Minimum Basic Needs (MBN) Proc. 548 s. 1995

Ministry of Agrarian Reform **SEE Department of Agrarian Reform (DAR)**

Ministry of Human Settlements (MHS) BP 220; Proc. 1893 s. 1979; Proc. 1954 s. 1980

Ministry of Justice **SEE Department of Justice (DOJ)**

Ministry of Labor and Employment **SEE Department of Labor and Employment**

Ministry of National Defense **SEE Department of National Defense (DND)**

Ministry of Public Works and Highways **SEE Department of Public Works and Highways**

Misamis Oriental Free Farmers Cooperative, Inc. LOI 1273

Mortgages and leases PD 1817; PD 1817

Chattel mortgages PD 1817

Mountain State Agricultural College LOI 1275

N

NAMRIA **SEE National Mapping Resource and Information Authority**

NARRA **SEE National Resettlement and Rehabilitation Administration**

NCC **SEE National Coordinating Committee**

NCIP **SEE National Commission on Indigenous Peoples**

NDC **SEE National Development Company**

NEDA **SEE National Economic and Development Authority**

NFAC **SEE National Food and Agriculture Council**

NHMFCC **SEE National Home Mortgage Finance Corporation**

NIA **SEE National Irrigation Administration**
NIPAS **SEE National Integrated Protected Areas**
NOAB **SEE National Organic Agriculture Board**
NPAA **SEE Network of Protected Areas for Agriculture**
NPAAD **SEE Network of Protected Areas for Agricultural and Agro-industrial Development**
NYC **SEE National Commission on Youth**

National Agri-fishery Mechanization Program RA 10601

National Anti-Poverty Commission

Creation RA 8425

National Building Code of the Philippines BP 220

National Commission on Youth (NYC) AO 206 s. 1995

National Commission on Indigenous Peoples (NCIP) **SEE ALSO**
Department of Agrarian Reform–National Commission on Indigenous Peoples’ (NCIP)

EO 11 s. 2010

Attachment EO 379 s. 2004

Control EO 364 s. 2004

Department of Land Reform

Attachment EO 379 s. 2004

Officials and employees

Compensation EO 379 s. 2004

Supervision EO 364 s. 2004

Transfer EO 364 s. 2004

Department of Land Reform EO 355 s. 1950

National Coordinating Committee (NCC) Proc. 1798-A s. 1978

National Council on Food Security and Job Creation EO 174 s. 2003

Composition EO 174 s. 2003

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Creation EO 174 s. 2003

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Inter-agency coordination EO 174 s. 2003

National Agricultural and Fisheries Council (NAFC) EO 174 s. 2003

Organization EO 174 s. 2003

Responsibilities EO 174 s. 2003

National Decade of Philippine Indigenous Peoples AO 206 s. 1995

National Development Company (NDC) EO 83 s. 1998; Proc. 82 s. 1987

Authority EO 83 s. 1998

Machinery and Equipment Department

Dissolution EO 355 s. 1950

- Equipment and supplies**
Transfer EO 355 s. 1950
- Officials and employees**
Transfer EO 355 s. 1950
- Real property**
Transfer EO 355 s. 1950
- Records**
Transfer EO 355 s. 1950
- National Economic and Development Authority** Proc. 82 s. 1987; RA 7661
- National Food and Agriculture Council (NFAC)** EO 754 s. 1981
Composition EO 754 s. 1981
Functions EO 754 s. 1981
- Officials and employees**
Appointment EO 754 s. 1981
Compensation EO 754 s. 1981
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Privileges and immunities EO 754 s. 1981
Promotions EO 754 s. 1981
Responsibility EO 754 s. 1981
Powers EO 754 s. 1981
- National Grains Authority**
Creation PD 4 s. 1972
- National Greening Program**
Coverage EO 26 s. 2011
Management EO 26 s. 2011
Monitoring EO 26 s. 2011
Social mobilization EO 26 s. 2011
- National Home Mortgage Finance Corporation (NHMFC)** RA 7835
- National Housing Authority** RA 7835
- National Integrated Protected Areas System (NIPAS)** AO 363 s. 1997;
 Proc. 741 s. 2004
Law and legislation AO 363 s. 1997
- National Internal Revenue Code** RA 8748
- National Irrigation Administration (NIA)** AO 363 s. 1997; EO 168 s. 2022;
 RA 6389; RA 6538
Transfer EO 168 s. 2022
Department of Agriculture EO 168 s. 2022
- National Land Reform Council** AO 79 s. 1963; AO 182 s. 1969; AO 200 s.
 1970; EO 361 s. 1971; RA 6389
Creation RA 3844
- National Land Settlement Administration**

Creation CA 441

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Equipment and supplies

Transfer EO 355 s. 1950

Officials and employees

Transfer EO 355 s. 1950

Objectives CA 441 §2

Powers CA 441 §3

Real property

Transfer EO 355 s. 1950

Records

Transfer EO 355 s. 1950

National Land Use Committee EO 124 s. 1993

National Mapping Resource and Information Authority (NAMRIA) EO
124 s. 1993

National Organic Agricultural Board (NOAB) RA 10068; RA 11511

National Organic Agricultural Program RA 10068; RA 11511

National parks and reserves

Real, Quezon Proc. 196 s. 1987

National Planning Commission RA 6389

National Resettlement and Rehabilitation Administration (NARRA) Proc.
742 s. 1996; RA 3844

Creation RA 1160

National Tourism Zones RA 9458

Biri, Capul, San Antonio, Northern Samar RA 9458

San Vicente, Northern Samar RA 9458

National Treasury RA 7661

NBP Master Development Plan Proc. 1159 s. 2006

NDC Agri-Agra ERAP Bonds

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Management EO 83 s. 1998

Mobilization EO 83 s. 1998

Utilization EO 83 s. 1998

Issuance

Authorization EO 83 s. 1998

Proceeds

Management EO 83 s. 1998

Mobilization EO 83 s. 1998

Utilization EO 83 s. 1998

Taxation EO 83 s. 1998

National Resettlement Survey and Review Committee Proc. 2046 s. 1981

National Shelter Program RA 7835
Natural resources RA 9054
Network of Protected Areas for Agricultural and Agro-industrial Development (NPAAD) AO 226 s. 2008; AO 226-A s. 2008
Network of Protected Areas for Agriculture (NPAA) AO 363 s. 1997
New Bilibid Prison Reservation Proc. 1159 s. 2006
New Society Proc. 1679 s. 1977; Proc. 1893 s. 1979

O

OLT SEE **Operation Land Transfer**
ONCC SEE **Office for Northern Cultural Communities**
OPAAM SEE **Office of the Presidential Adviser on Agricultural Modernization**

Office for Northern Cultural Communities (ONCC) Proc. 900 s. 1996

Office of Agrarian Counsel RA 6389
Appointment of Subordinate Officials RA 5984
Creation RA 3844
Functions RA 4886

Office of the President

National Commission on Indigenous Peoples

Transfer EO 11 s. 2010

National Irrigation Administration

Detachment EO 168 s. 2022

Presidential Commission for the Urban Poor (PCUP)

Transfer EO 69 s. 2012

Presidential Commission to Fight Poverty

Creation EO 12 s. 1992

Office of Muslim Affairs AO 206 s. 1995

Office of Northern Cultural Communities AO 206 s. 1995

Office of Southern Cultural Communities AO 206 s. 1995

Office of the Agrarian Council AO 72 s. 1963

Office of the Investment Ombudsman

Creation EO 180 s. 1999

Functions EO 180 s. 1999

Funds EO 180 s. 1999

Inter-agency coordination EO 180 s. 1999

Investment Facilitation Specialists

Authority EO 180 s. 1999

Designation EO 180 s. 1999

Functions EO 180 s. 1999

Officials and employees EO 180 s. 1999

Appointment EO 180 s. 1999

Powers EO 180 s. 1999

Quick Response One-Stop Action Center (QROSACI)

Functions EO 180 s. 1999

Reports EO 180 s. 1999

Supervision EO 180 s. 1999

Transfer EO 180 s. 1999

Office of the President

Office of the Presidential Adviser on Agricultural Modernization

Establishment EO 8 s. 2001

Office of the Register of Deeds

Officials and employees PD 1817 s. 1981

Office of the Presidential Adviser on Agricultural Modernization (OPAAM)

Composition EO 8 s. 2001

Establishment EO 8 s. 2001

Finance EO 8 s. 2001

Functions EO 8 s. 2001

Funds EO 8 s. 2001

Interagency coordination EO 8 s. 2001

Organization EO 8 s. 2001

Officials and employees

Control EO 8 s. 2001

Supervision EO 8 s. 2001

Philippine Rice Research Institute (PHILRICE)

Attachment EO 76 s. 2002

Transfer EO 76 s. 2002

Office of the Solicitor General RA 5984

Official Development Registry

Establishment PD 1517 s. 1978

Operation Land Transfer (OLT) BP 649

Organic Agriculture Act of 2010 RA 10068

Amendments RA 11511

Organic Agriculture RDE Network

Creation RA 10068

Organic Certifying Body RA 11511

Accreditation RA 10068

Organic food RA 10068; RA 11511

Organic production system RA 10068; RA 11511

Oversight Committee EO 203 s. 1994

Functions EO 203 s. 1994

Legislative-Executive Development Advisory Council EO 203 s. 1994

P

PACLAP SEE **Presidential Action Committee on Land Problems**

PAGCOR SEE **Philippine Amusement and Gaming Corporation**

PARC SEE **Presidential Agrarian Reform Council**

PARCCOM SEE **Provincial Agrarian Reform Coordinating Committee**

PCAC SEE **Presidential Committee on Agricultural Credit**

PCC SEE **Philippine Cotton Corporation**

PCCD SEE **Presidential Council for Countryside Development**

PCFP SEE **Presidential Commission to Fight Poverty**

PCGG SEE **Presidential Commission on Good Government**

PCIC SEE **Philippine Crop Insurance Corporation**

PCSO SEE **Philippine Charity Sweepstakes Office**

PCARRD SEE **Philippine Council for Agriculture, Forestry, Natural Resources Research and Development**

PCAMRD SEE **Philippine Council for Aquatic and Marine Research and Development**

PCUP SEE **Presidential Commission on Urban Poor**

PDTF SEE **People's Development Trust Fund**

PEZA SEE **Philippine Economic Zone Authority**

PHILCOA SEE **Philippine Coconut Authority**

PLUC SEE **Provincial Land Use Committee**

People's Development Trust Fund (PDTF)

Establishment RA 8425

Philippine Agricultural and Biosystems Engineering Act of 2016 RA 10915

Philippine Amanah Bank Proc. 835 s. 1991; Proc. 1530 s. 1976

Philippine Coconut Authority

Fees PD 1854 s. 1982

Funding PD 1854 s. 1982

Philippine Cooperative Code of 2008 RA 9520

Philippine Cotton Corporation (PCC) RA 8486

Philippine Council for Agriculture, Forestry, Natural Resources Research and Development (PCARRD) EO 127 s. 1999

Philippine Council for Aquatic and Marine Research and Development (PCAMRD) EO 127 s. 1999

Philippine Council for United States RA 821

Philippine Economic Zone Authority (PEZA) RA 8748

Philippine Land Reform Education Program

Land Reform Education Fund

Trusts and trustees EO 361 s. 1971

Philippine Mining Act of 1995 Proc. 741 s. 2004

Philippine National Bank RA 1400

Philippine National Railways RA 6538

Philippine Press Institute AO 182 s. 1969; AO 200 s. 1970

Philippine Rice Research Institute (PHILRICE)

Board of Trustees

Appointment EO 76 s. 2002

Composition EO 76 s. 2002

Composition EO 76 s. 2002

Privileges and immunities EO 76 s. 2002

Reconstitution EO 76 s. 2002

Tenure EO 76 s. 2002

Department of Agriculture (DA)

Detachment EO 76 s. 2002

Transfer EO 76 s. 2002

Hybrid Rice Action Teams

Composition EO 76 s. 2002

Functions EO 76 s. 2002

Organization EO 76 s. 2002

Hybrid Rice Program

Finance EO 76 s. 2002

Funds EO 76 s. 2002

Implementation EO 76 s. 2002

Office of the President

Attachment EO 76 s. 2002

Transfer EO 76 s. 2002

Report EO 76 s. 2002

Philippine Rice Share Tenancy Act ACT 4054; RA 34

Philippine Rural Reconstruction Movement Proc. 635 s. 1959

Presidential Agency for Reforms on Government Operations AO 182 s. 1969; AO 200 s. 1970

Presidential Agrarian Reform Council (PARC) RA 6657; RA 7907; RA 9700

Philippine Amusement and Gaming Corporation (PAGCOR)

Proceeds

Comprehensive and Integrated Shelter and Urban Development

Financing Program RA 7835

Philippine Coconut Producers Federations, Inc. (COCOFED) LOI 1035

Philippine Charity Sweepstakes Office (PCSO) RA 8175

Proceeds

*Comprehensive and Integrated Shelter and Urban Development
Financing Program* RA 7835

Philippine Crop Insurance Corporation (PCIC)

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Department of Finance (DOF) EO 148 s. 2021

Board of Directors

Reorganization EO 148 s. 2021

Charter

Amendments RA 8175

Detachment

Department of Agriculture (DA) EO 148 s. 2021

Transfer EO 148 s. 2021

Department of Finance (DOF) EO 148 s. 2021

Philippine National Bank PD 251; PD 544

Philippine Tourism Master Plan Proc. 1108 s. 1997

Pilot Land Consolidation Project LOI 370

Poverty Alleviation RA 8425

Prawn farms

Conversion RA 7881

Premature Conversion RA 8435

Presidential Action Center EO 12 s. 1992

Presidential Action Committee on Land Problems (PACLAP)

Creation of Special Action Group PD 832 s. 1975

Functions and duties PD 832 s. 1975

Policy Body PD 832 s. 1975

Provincial PACLAP Committee PD 832 s. 1975

Reorganization PD 832 s. 1975

Presidential Assistant on Community Development EO 76 s. 1964; RA 6538

Presidential Commission on Good Government (PCGG) RA 7661; RA 8532; RA 8758

Presidential Commission on Urban Poor (PCUP) **SEE ALSO** Department of Agrarian Reform–Presidential Commission on the Urban Poor (PCUP); **SEE ALSO** Office of the President–Presidential Commission on the Urban Poor (PCUP)

EO 12 s. 1992

Control EO 364 s. 2004

Functions EO 69 s. 2012

Interagency coordination EO 69 s. 2012

Supervision EO 364 s. 2004

Transfer EO 69 s. 2012

Department of Agrarian Reform EO 364 s. 2004

Office of the President EO 69 s. 2012

Presidential Commission to Fight Poverty (PCFP)

Abolition RA 8425

Composition EO 12 s. 1992

Creation EO 12 s. 1992

Functions EO 12 s. 1992

Presidential Committee on Agricultural Credit (PCAC)

Creation PD 792 s. 1975

Presidential Coordinating Committee for Social Justice and Agrarian Reforms

Creation AO 182 s. 1969

Amendments AO 200 s. 1970

Presidential Council for Countryside Development (PCCD)

Abolition RA 8425

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 - Permits***
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 - Poblacion, Barangay, Muntinlupa City* Proc. 1159 s. 2006
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 - Amendments* RA 8748
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 - Daing, Barrio of, Cervantes, Municipality of* Proc. 190 s. 1955
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- TEZs **SEE Tourism Enterprise Zones**

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LIST OF AMENDMENTS

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ACT 2711 (secs. 1656, 1657)				PD 1177		
ACT 4054						RA 1199
CA 53						RA 1199
CA 461						RA 1199
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AO 79 s. 1993				EO 203 s. 1994		
AO 182 s. 1969		AO 200 s. 1970				
AO 200 s. 1970	AO 182 s. 1969					
AO 206 s. 1995	AO 28 s. 1993					
AO 226 s. 2008		AO 226-A s. 2008				

LAW	AMENDS	AMENDED BY	REPEALS OR MODIFIES ACCORDINGLY	REPEALED OR MODIFIED ACCORDINGLY BY	REPEALS	REPEALED BY
AO 226-A s. 2008	AO 226 s. 2008					
ACT 4054 (secs. 7, 15, 23, 29)		CA 178				
BIR Revenue Regulation No. 20-2001				RA 9520		
BP 65	RA 720					
CA 178	ACT 4054 (secs. 7, 15, 23, 29)					
CA 246				PD 1177		
EO 20 s. 1987				RA 9593		
EO 30 s. 1963				RA 9593		
EO 46 s. 1987				RA 9593		
EO 60 s. 1986 (sec. 1)		EO 76 s. 2002				
EO 63 s. 1914		Proc. 454 s. 1994				
EO 76 s. 2002	EO 60 s. 1986 (sec. 1); EO 1061 s. 1985 (sec. 4)					
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LAW	AMENDS	AMENDED BY	REPEALS OR MODIFIES ACCORDINGLY	REPEALED OR MODIFIED ACCORDINGLY BY	REPEALS	REPEALED BY
EO 129 s. 1987		EO 129-A s. 1987				
EO 129-A s. 1987	EO 129 s. 1987					
EO 155 s. 1999		EO 180 s. 1999				
EO 180 s. 1999	EO 155 s. 1999					
EO 183 s. 1969		EO 754 s. 1981				
EO 203 s. 1994			AO 79 s. 1993			
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EO 252 s. 1995	EO 203 s. 1994 [sec. 1 (1.3)]					
EO 251 s. 1970				PD 832		
EO 277 s. 1995		EO 313 s. 2000				
EO 313 s. 2000	EO 277 s. 1995; EO 481 s. 1998					
EO 347 s. 1971		EO 437 s. 1974				

LAW	AMENDS	AMENDED BY	REPEALS OR MODIFIES ACCORDINGLY	REPEALED OR MODIFIED ACCORDINGLY BY	REPEALS	REPEALED BY
EO 305 s. 1971				PD 832		
EO 355 s. 1950						RA 1160
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EO 379 s. 2004	EO 364 s. 2004 (sec. 3)					
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EO 437 s. 1974	EO 347 s. 1971					
EO 448 s. 1991	EO 407 s. 1990; EO 506 s. 1992					
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EO 506 s. 1992	EO 407 s. 1990; EO 448 s. 1991					
EO 596 s. 1980		EO 754 s. 1981				
EO 623 s. 2007				RA 9520		

LAW	AMENDS	AMENDED BY	REPEALS OR MODIFIES ACCORDINGLY	REPEALED OR MODIFIED ACCORDINGLY BY	REPEALS	REPEALED BY
EO 648 s. 1981						RA 11201
EO 754 s. 1981	EO 183 s. 1969; EO 596 s. 1980					
EO 1061 s. 1985 (sec. 4)		EO 76 s. 2002				
PD 37				RA 9593		
PD 85						PD 462
PD 175						RA 6938; RA 9520
PD 189				RA 9593		
PD 251	RA 3844					
PD 316				RA 6657		
PD 442				RA 9593		
PD 444	RA 3844					
PD 462					PD 85	
PD 544	RA 6390					
PD 583 (sec. 4)		PD 815				
PD 717						RA 10000

LAW	AMENDS	AMENDED BY	REPEALS OR MODIFIES ACCORDINGLY	REPEALED OR MODIFIED ACCORDINGLY BY	REPEALS	REPEALED BY
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PD 832			EO 251 s. 1970; EO 305 s. 1971			
PD 946					RA 3844 (Chap. IX)	
PD 946 (sec. 12)				RA 6657		
PD 1038				RA 6657		
PD 1039	RA 3844					
PD 1177			ACT 2711 (secs. 1656, 1657); CA 246; CA 992			
PD 1448				RA 9593		
PD 1467		RA 8175				
PD 1616				RA 9593		
PD 1645 (secs. 3, 5, 7)				RA 9520		
PD 1817	RA 3844 (sec. 62)					

LAW	AMENDS	AMENDED BY	REPEALS OR MODIFIES ACCORDINGLY	REPEALED OR MODIFIED ACCORDINGLY BY	REPEALS	REPEALED BY
Proc. 106 s. 1987						Proc. 246 s. 1988
Proc. 136 s. 1993	Proc. 1530 s. 1976					
Proc. 166 s. 1995		Proc. 742 s. 1996				
Proc. 174 s. 1928						Proc. 900 s. 1996
Proc. 180 s. 1993		Proc. 263 s. 2000				
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Proc. 263 s. 2000	Proc. 180 s. 1993					
Proc. 284 s. 1938		Proc. 2342 s. 1984				

LAW	AMENDS	AMENDED BY	REPEALS OR MODIFIES ACCORDINGLY	REPEALED OR MODIFIED ACCORDINGLY BY	REPEALS	REPEALED BY
Proc. 378 s. 1953		Proc. 635 s. 1959				
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Proc. 544 s. 1940		Proc. 1531 s. 1976				
Proc. 582 s. 1940		Proc. 196 s. 1987				
Proc. 635 s. 1959	Proc. 378 s. 1953					
Proc. 742 s. 1996	Proc. 166 s. 1995					
Proc. 835 s. 1991	Proc. 1530 s. 1976					

LAW	AMENDS	AMENDED BY	REPEALS OR MODIFIES ACCORDINGLY	REPEALED OR MODIFIED ACCORDINGLY BY	REPEALS	REPEALED BY
Proc. 858 s. 1996	Proc. 446 s. 1994					
Proc. 900 s. 1996					Proc. 174 s. 1928	
Proc. 1530 s. 1976		Proc. 136 s. 1993; Proc. 835 s. 1991				
Proc. 1531 s. 1976	Proc. 457 s. 1939; Proc. 544 s. 1940					
Proc. 2342 s. 1984	Proc. 284 s. 1938					
RA 34	ACT 4054 (secs. 3, 4, 7, 8, 9, 22)					
RA 720		BP 65				
RA 992				PD 1177		
RA 1160					EO 355 s. 1950	

LAW	AMENDS	AMENDED BY	REPEALS OR MODIFIES ACCORDINGLY	REPEALED OR MODIFIED ACCORDINGLY BY	REPEALS	REPEALED BY
RA 1199					ACT 4054; CA 53; CA 461	
RA 3844		PD 251; PD 444; PD 1039; RA 6389; RA 7907; RA 10878				
RA 3844 (Chap. IX)						PD 946
RA 3844 (sec. 35)					RA 6657	
RA 3844 (sec. 53)					RA 9700	
RA 3844 (sec. 62)		PD 1817				
RA 3844 (sec. 162, par. 1)		RA 5984				

LAW	AMENDS	AMENDED BY	REPEALS OR MODIFIES ACCORDINGLY	REPEALED OR MODIFIED ACCORDINGLY BY	REPEALS	REPEALED BY
RA 3844 (sec. 163)		RA 4886				
RA 4886	RA 3844 (sec. 163)					
RA 5984	RA 3844 (sec. 162, par. 1)					
RA 6125 (sec. 4)		RA 6390				
RA 6389	RA 3844					
RA 6390	RA 6125 (sec. 4)	PD 544				
RA 6657		RA 7881; RA 9700	PD 316; PD 946 (sec. 12); PD 1038; RA 3844 (sec. 35)		PD 175	
RA 6657 (secs. 35, 36, 44, 45)		RA 7905				
RA 6657 (sec. 63)		RA 8532				
RA 6734		RA 9054				
RA 6938		RA 9520			PD 175	
RA 7160				RA 9593		

LAW	AMENDS	AMENDED BY	REPEALS OR MODIFIES ACCORDINGLY	REPEALED OR MODIFIED ACCORDINGLY BY	REPEALS	REPEALED BY
RA 7181		RA 7661; RA 8758				
RA 7353		RA 10574				
RA 7661	RA 7181					
RA 7721 (sec. 9)						RA 10000
RA 7722				RA 9593		
RA 7881	RA 6657					
RA 7900 (sec. 8, par. 2)						RA 10000
RA 7905	RA 6657 (secs. 35, 36, 44, 45)					
RA 7907	RA 3844					
RA 7916	RA 8748					
RA 8175	PD 1467					
RA 8178		RA 11203				
RA 8532	RA 6657 (sec. 63)					
RA 8559						RA 10915

LAW	AMENDS	AMENDED BY	REPEALS OR MODIFIES ACCORDINGLY	REPEALED OR MODIFIED ACCORDINGLY BY	REPEALS	REPEALED BY
RA 8748	RA 7916					
RA 8758	RA 7181					
RA 9054	RA 6734					
RA 9497				RA 9593		
RA 9520	RA 6938		BIR Revenue Regulation No. 20-2001; EO 623 s. 2007; PD 1645 s. 1979 (secs. 3, 5, 7)		PD 175	
RA 9593			EO 20 s. 1987; EO 30 s. 1963; EO 46 s. 1987; PD 37; PD 189; PD 442; PD 1448; PD 1616; RA 7160; RA 7722; RA 9497			
RA 9700	RA 6657		RA 3844 (sec. 53)			

LAW	AMENDS	AMENDED BY	REPEALS OR MODIFIES ACCORDINGLY	REPEALED OR MODIFIED ACCORDINGLY BY	REPEALS	REPEALED BY
RA 10000					PD 717; RA 7721 (sec. 9); RA 7900 (sec. 8, par. 2)	
RA 10068		RA 11511				
RA 10574	RA 7353					
RA 10878	RA 3844					
RA 10915					RA 8559	
RA 11201					EO 90 s. 1986; EO 648 s. 1981	
RA 11203	RA 8178					
RA 11511	RA 10068					

LEGEND:

art. = Article
 ex. = except
 pts. = Parts
 subsec. = Subsection

arts. = Articles
 par. = Paragraph
 s. = series of

chap. = Chapter
 pars. = Paragraphs
 sec. = Section

chaps. = Chapters
 pt. = Part
 secs. = Sections



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