

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
Second Regular Session

HOUSE BILL NO. 7827



Introduced by: HONORABLE JOCELYN F. FORTUNO

EXPLANATORY NOTE

The Agricultural Free Patent has been implemented by virtue of Commonwealth Act No. 141, as amended, otherwise known as the Public Land Act of 1936 with the paramount objective of promoting social equity in order to uplift the lives of Filipinos by giving lands and titles to the landless. This has been an easy way for farmers to officially claim public lands set as alienable and disposable land.

Although this law is greatly beneficial to the marginalized sector of our society, it specifically gives timelines to avail of the privilege. Notwithstanding the enactment of several amendatory laws extending the timeline, the latest of which is mandated by Republic Act No. 9176 enacted in 2002, which sets the deadline only until December 31, 2020, there are still numerous agricultural lands that have not been issued with titles. Most of the delays in the processing of titles are attributable to certain circumstances like, the occupants or claimants are descendants of the survey claimants, who cannot pay for the transfer of rights in their name, the original surveyed lots requires subdivision among heirs, etc.

This bill therefore seeks to further extend the deadline by ten (10) years or until December 31, 2030 for the filing of applications for the administrative legalization (free patent) and judicial confirmation of imperfect and incomplete titles to alienable and disposable lands of public domain. Otherwise, the noble objectives of the law to alleviate the standard of living of the poor people will be defeated.

The foregoing reasons warrant the approval of this important piece of social legislation.


JOCELYN F. FORTUNO
Representative
Fifth District, Camarines Sur

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AN ACT

FURTHER EXTENDING THE PERIOD UNTIL DECEMBER 31, 2030 FOR THE FILING OF APPLICATIONS FOR ADMINISTRATIVE LEGALIZATION (FREE PATENT) AND JUDICIAL CONFIRMATION OF IMPERFECT AND INCOMPLETE TITLES TO ALIENABLE AND DISPOSABLE LANDS OF THE PUBLIC DOMAIN, AMENDING FOR THE PURPOSE COMMONWEALTH ACT NO. 141, AS AMENDED, OTHERWISE KNOWN AS THE PUBLIC LAND ACT

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

SECTION 1. Section 45, Chapter VII of Commonwealth Act No. 141, as amended, is hereby further amended to read as follows:

“Section 45. The President of the Philippines, upon recommendation of the Secretary of Environment and Natural Resources, shall from time to time fix by proclamation the period within which applications for free patents may be filed in the Community Environment and Natural Resources Office or region specified in such proclamation, and upon the expiration of the period so designated, unless the same may be extended by the President, all lands comprised within such district, chartered city, province, municipality or region subject thereto under the provisions of this chapter may be disposed of as agricultural public land without prejudice to the prior right of the occupant and cultivator to acquire such land under this Act by means other than free patent. The time to be fixed in the entire Archipelago for the filing of applications shall not extend beyond December 31, [2020] **2030**: *Provided*, That the period shall apply only when the area applied for does not exceed twelve (12) hectares. The period for any district, chartered city, province or municipality shall take effect after thirty (30) days after the publication of the proclamation in one (1) newspaper of general circulation in the city, province or municipality concerned. A certified copy of

said proclamation shall be furnished by the Secretary of Environment and Natural Resources Office and to the provincial board and municipal board or city council and barangay council affected , and copies thereof shall be posted on the bulletin board of the Community Environment and Natural Resources Office and at such conspicuous places in the provincial capitol, city or municipal hall, and in barangay hall or meeting place. It shall moreover be announced and aired over the government station in the concerned local area.”

SEC. 2. Section 47, Chapter VIII of the same Act, as amended, is hereby further amended to read as follows:

“**Section 47.** The persons signified in the next following section are hereby granted time, not to extend beyond December 31, [2020] **2030** within which to avail of the benefits of this Chapter: *Provided*, That this period shall apply only where the area applied for does not exceed twelve (12) hectares: *Provided, further*, That the several periods of time designated by the President in accordance with Section Forty-five of this Act shall apply also to lands comprised in the provisions of this Chapter, but this Section shall not be construed as prohibiting any of said persons from acting under this Chapter at any time prior to the period fixed by the President.”

SEC. 3. All laws, decrees, executive orders, rules and regulations contrary to or inconsistent with any provision of this Act are hereby repealed or amended accordingly.

SEC. 4. This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general application.

Approved,