

[PRESIDENTIAL DECREE NO. 1073, January 25, 1977]

EXTENDING THE PERIOD OF FILING APPLICATIONS FOR ADMINISTRATIVE LEGALIZATION (FREE PATENT) AND JUDICIAL CONFIRMATION OF IMPERFECT AND INCOMPLETE TITLES TO ALIENABLE AND DISPOSABLE LANDS IN THE PUBLIC DOMAIN UNDER CHAPTER VII AND CHAPTER VIII OF COMMONWEALTH ACT NO. 141, AS AMENDED, FOR ELEVEN (11) YEARS COMMENCING JANUARY 1, 1977

WHEREAS, under the provisions of Section 45, Chapter VII and Section 47, Chapter VII, Commonwealth Act No. 141, as amended, otherwise known as the Public Land Act, the period fixed in the entire Archipelago for filing applications for free patent and judicial confirmation of imperfect and incomplete title to alienable and disposable lands of the public domain will expire on December 31, 1976;

WHEREAS, there is still a substantial number of Filipino citizens and member of the National Cultural Communities who are entitled to the benefits of the aforementioned law but have not been able to take advantage of the period for filing their application because the lands occupied and settled by them have not been surveyed or they are located in municipalities that have not been reached by the cadastral survey program of the government; and

WHEREAS, it has always been the policy of the State to hasten the settlement, adjudication and quieting of titles to unregistered lands including alienable and disposable lands of the public domain in favor of qualified Filipino citizens who have acquired inchoate, imperfect and incomplete titles thereto by reason of their open, continuous, exclusive and notorious occupation and cultivation thereof under bona fide claim of acquisition of ownership for a number of years prescribed by law:

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by the Constitution, do hereby decree as part of the law of the land, the following:

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

"Sec. 45. The President of the Philippines (Prime Minister), upon recommendation of the Secretary of Natural Resources, shall from time to time fix by proclamation the period which applications for free patents may be filed in the district, chartered city, province, municipality or region specified in such proclamation, and upon the expiration of the period so designated, unless the same be extended by the President (Prime Minister) all the land compromised within such district, chartered city, province, municipality or region subject thereto under the provisions of this chapter may 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 under this Chapter shall not extend beyond December 31, 1987, except in the provinces of Agusan del Norte, Agusan, del Sur, Cotabato, South Cotabato, Bukidnon,

Lanao, del Norte, Lanao del Sur, Davao, del Norte, Davao del Sur, Davao Oriental, Sulu, Mt. Province, Benguet, Kalinga-Apayao, and Ifugao where the President of the Philippines, upon recommendation of the Secretary of Natural Resources, shall determine or fix the time beyond which the filing of applications under this Chapter shall not extend. The period fixed for any district, chartered city, province, or municipality shall begin to run thirty days after the publication of the proclamation in the Official Gazette and if available in on newspaper or general circulation in the city, province or municipality concerned. A certified copy of said proclamation shall be furnished by the Secretary of Natural Resources within 30 days counted from the date of the presidential proclamation to the Director of Lands and to the provincial board, the municipal board or city council and barangay council affected, and copies thereof shall be posted on the bulletin board of the bureau of Lands at Manila and at conspicuous places in the provincial building and at the municipal building and barangay hall or meeting place. It shall moreover, be announced by government radio whenever available, in each of the barrios of the municipality."

SECTION 2. Section 47, Chapter VIII, of Commonwealth Act No. 141, as amended, is hereby further amended to read as follows:

"Sec. 47. The persons specified in the next following section are hereby granted time, not to extend beyond December 31, 1987 within which to take advantage of the benefit of this chapter: Provided, That this extension shall apply only where the area applied for does not exceed 144 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 the lands comprised in the provisions of this chapter, but this section shall not be construed as prohibiting any time prior to the period fixed by the President."

SECTION 3. The judicial confirmation of incomplete titles to public land based on unperfected Spanish grants such as application for the purchase, composition or other forms of grant of lands of the public domain under the laws and royal decrees in force prior to the transfer or sovereignty from Spain to the United States shall no longer be allowed. However, this Section shall not be construed as prohibiting any person claiming the same land from acting under Section 48(b) and Section 48(c) if he meets the conditions prescribed for judicial confirmation of his incomplete title thereunder.

SECTION 4. The provisions of Section 48(b) and Section 48(c), Chapter VIII of the Public Land Act are hereby amended in the sense that these provisions shall apply only to alienable and disposable lands of the public domain which have been in open, continuous, exclusive and notorious possession and occupation by the applicant himself or thru his predecessor-in-interest, under a bona fide claim of acquisition of ownership, since June 12, 1945.

SECTION 5. Any law or executive order or part thereof contrary to or inconsistent with this Decree is hereby amended or repealed accordingly.

SECTION 6. This Decree shall take effect upon its promulgation.

DONE in the City of Manila, this 25th of January, in the year of Our Lord, Nineteen Hundred and Seventy-Seven.