

[PRESIDENTIAL DECREE NO. 967, July 24, 1976]

AMENDING CERTAIN PROVISIONS OF REPUBLIC ACT NO. 477 ENTITLED "AN ACT TO PROVIDE FOR THE ADMINISTRATION AND DISPOSITION OF PROPERTIES INCLUDING THE PROCEEDS AND INCOME THEREOF TRANSFERRED TO THE REPUBLIC OF THE PHILIPPINES UNDER THE PHILIPPINES PROPERTY ACT OF 1946 AND OF REPUBLIC ACT NUMBER EIGHT, AND OF THE PUBLIC LANDS AND IMPROVEMENT THEREOF TRANSFERRED TO THE NATIONAL ABACA AND OTHER FIBERS CORPORATION UNDER THE PROVISIONS OF EXECUTIVE ORDER NO. 29, DATED OCTOBER 25 1946 AND OF EXECUTIVE ORDER NO. 99, DATED OCTOBER 22, 1947."

WHEREAS, Section 3 of Republic Act No. 477 provides, among others, that the lands which are to be subdivided and redistributed through the former National Abaca and Other Fibers Corporation in accordance with the said Act, shall be sold by the aforesaid Corporation following the order of preference specified therein, and that the subdivided lots which may still be unoccupied shall be disposed of by drawing lots among qualified persons who may apply for said lots;

WHEREAS, it has been observed that the provisions of Section 3 of the aforementioned Republic Act, should now be amended because with the dissolution of the National Abaca and Other Fibers Corporation, the administrative functions, duties and responsibilities of the said Corporation under Republic Act No. 477 have been transferred to the Board of Liquidators and the disposition by the Board of Liquidators of the subdivided lots which are unoccupied, under the provisions of Republic Act No. 477, has been seriously hampered by the requirement prescribed in the said section for the drawing of lots among qualified applicants, which procedure of land disposal has been found to be impractical, conducive to speculative schemes, and inconsistent with the present national policy, to hasten the redistribution of land for the benefit of the landless people in the country.

WHEREAS, it has also been observed that one of the problems encountered in the administration and disposition of lands under Section 3 of Republic Act No. 477 is the fact that there is no provision in the said section, or anywhere in the aforesaid Republic Act which authorizes the disposition of lands and/or improvements thereon whose awards have been properly cancelled, which situation prevents the speedy redistribution of the lands and improvements mentioned and obstructs the attainment of the objectives of the law;

WHEREAS, Section 8 of the same Republic Act imposes certain restrictions on the lands acquired under the said Act, by providing that such lands or any permanent improvements thereon shall not be subject to encumbrance of alienation from the date of the award of the land or the improvements thereon, and for a period of ten (10) years from the date of the issuance of the certificate of title, which restrictions on the right to alienate or encumber the lands and permanent improvements acquired under the Act have worked to the disadvantage of the people who are intended to be benefitted by the same law by depriving them of the full enjoyment and utilization of such property and are manifestly no longer justified by the present circumstances.