

# [ PRESIDENTIAL DECREE NO. 437, April 16, 1974 ]

## **REPEALING AND AMENDING CERTAIN SECTIONS OF REPUBLIC ACT NO. 5906, OTHERWISE KNOWN AS "THE CHARTER OF THE CITY OF PUERTO PRINCESA."**

**WHEREAS**, under the second paragraph of Section 92, Republic Act No. 5906, otherwise known as "The Charter of the City of Puerto Princesa," the National Government has ceded to the City of Puerto Princesa, the ownership and possession of all lands of the public domain within the City, and that under paragraph (uu), Section 15 of the same Act, the City Council has the power to dispose of by lease or otherwise all lands of the public domain ceded to it by the National Government;

**WHEREAS**, included in the lands of the public domain ceded to the City are public forests and grazing lands which, by their nature and classification, are neither alienable nor disposable, and hence, the grant of "ownership" thereof to the City is of doubtful constitutionality;

**WHEREAS**, the City of Puerto Princesa does not have the necessary administrative machinery to manage and dispose of the lands of the public domain and as a result the administration, management and disposition of public lands within the City have been in a chaotic situation;

**WHEREAS**, the grant of authority to the City to dispose of by lease or otherwise the public lands within the City has resulted in the proliferation of agencies administering public lands, which is not conducive to sound government administration, and has given rise, besides, to wasteful overlapping of functions; and

**WHEREAS**, to accelerate and insure the effective distribution of public lands for the benefit of legitimate occupants, claimants and/or applicants within the City, it is necessary to return to the Bureau of Lands all lands of the public domain within the City for administration and disposition in accordance with the provisions of Commonwealth Act No. 141, as amended, otherwise known as "The Public Land Act," and other related land laws;

**NOW, THEREFORE, I, FERDINAND E. MARCOS**, President of the Republic 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 order and decree as follows:

**SECTION 1.** Paragraph (uu) of Section 15, Republic Act No. 5906, is hereby repealed.

**SEC. 2.** Section 92 of the same Act is hereby amended by deleting the second paragraph thereof and inserting, in lieu thereof, a new paragraph to read as follows:

"The disposition of all lands of the public domain within the city shall be in accordance with the provisions of Commonwealth Act No. 141, as amended, otherwise known as "The Public Land Act": *Provided*, That all incomes, receipts and profits derived from such disposition shall accrue exclusively to the city notwithstanding any provision of law to the contrary."