

[BATAS PAMBANSA BLG. 869, April 18, 1985]

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 (PD 27), Republic Act Numbered Thirty-eight hundred and forty-four (RA 3844), as amended by Republic Act Numbered Sixty-three hundred and eighty nine (RA 6389), Republic Act Numbered Fourteen hundred (RA 1400), Commonwealth Act Numbered Five hundred thirty-nine (CA 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