

1 (a) Provide the leadership and management of reforms in land
2 administration;

3 (b) Promote efficient and effective mapping, land survey,
4 classification, disposition, registration and management of private and public
5 lands;

6 (c) Undertake a comprehensive and continuing land administration
7 program that will make the processes and procedures on land registration and
8 titling affordable, reliable and expeditious;

9 (d) Assist in the attainment of the government's asset reform programs;

10 (e) Accelerate and complete the distribution, titling and registration of
11 alienable or disposable lands to provide security of land tenure;

12 (f) Undertake reforms in land administration and management to
13 ensure equitable distribution and full utilization and development of alienable
14 or disposable lands;

15 (g) Improve the efficiency, effectiveness, transparency and
16 accountability of land administration services;

17 (h) Rationalize the structure, powers and functions of the different land
18 administration agencies and integrate all land administration and registration
19 policies, plans, programs and projects of various government agencies to
20 increase the efficiency of the land titling system of the government, with
21 expeditious delivery of services that are viable with sustainable land
22 administration programs and projects;

23 (i) Establish a sustainable and viable administration of land through
24 computerization of functions and removal of overlaps and duplication in the
25 delivery of land administration services;

26 (j) Establish an administrative system for the cancellation of duplicate
27 and fake titles and the eradication of land grabbing activities;

28 (k) Provide accessible, efficient and affordable land administration
29 services to the people through the establishment of one-stop shops nationwide;

1 (l) Establish an effective land information system and provide easy
2 and affordable access to land information by members of the public;

3 (m) Improve the skills of and career opportunities for government
4 employees engaged in the provision of land administration services;

5 (n) Rationalize and clarify the entitlements of persons to land titles to
6 make the process of issuing original titles fast and low-cost;

7 (o) Promote and support the development of a national land
8 administration and management education system;

9 (p) Identify and reduce disincentives to the registration of property
10 transactions;

11 (q) Mainstream gender in all aspects of the land administration system;
12 and

13 (r) Recognize, respect, ensure participation and assist in the
14 enforcement of land related rights of men and women of the basic sectors, as
15 defined in Republic Act No. 8425, otherwise known as the "Social Reform
16 and Poverty Alleviation Act".

17 SEC. 3. *Definition of Terms.* – For the purpose of this Act, the
18 following terms shall, unless the context indicates otherwise, have the
19 following meanings:

20 (a) "Alienable and disposable lands" refers to agricultural lands of the
21 public domain which have been delineated, classified and certified as available
22 for disposition under the Public Land Act.

23 (b) "Agricultural lands" refers to lands devoted to or suitable for the
24 cultivation of the soil, planting of crops or growing of trees, and not classified
25 as mineral land, forest land or national park, or subclassified as residential
26 land, commercial land or industrial land.

27 (c) "Automated registration system" refers to a system using
28 appropriate technology for scanning, recording and land registration using

1 electronic devices to store the copy of certificates of title and other documents
2 relative thereto.

3 (d) "Classification and reclassification" refers to the act of Congress in
4 setting the specific limits of forest lands and national parks, and increasing or
5 decreasing their boundaries by law, as provided for in Article XII, Section 4 of
6 the 1987 Philippine Constitution.

7 (e) "*Consulta* and/or query" refers to the procedure where the
8 Registrar of Deeds or the registrant may elevate the issue of registrability of
9 certain instruments to the Land Registration Authority (LRA) Administrator as
10 defined in Section 117 of Presidential Decree No. 1529, otherwise known as
11 the Property Registration Decree.

12 (f) "Director General" refers to the person occupying the position of
13 Director General of the Land Administration Authority created by this Act.

14 (g) "Land" refers to resources, both man-made and natural, found on
15 the surface, below and above the ground, including inland waters and the air
16 therein.

17 (h) "Land Administration and Management Project (LAMP)" refers to
18 the project office providing technical and administrative support to the
19 interagency endeavor of the Philippine government to identify strategic
20 directions toward land administration reform in land institutions, laws, taxes
21 and fees, and valuation.

22 (i) "Land administration and public land management" refers to the
23 administration of all functions, powers and activities related to the mapping,
24 land survey, classification, ownership, disposition and registration of land
25 titles and deeds, and the management of public lands.

26 (j) "Land Management Bureau (LMB)" refers to the staff bureau of
27 the Department of Environment and Natural Resources (DENR).

1 (k) "Land Management Services (LMS)" refers to the land
2 management sector or offices of the DENR at the regional, provincial and
3 district level.

4 (l) "Land registration case" refers to the proceeding, either
5 administrative or judicial, for registering the title to, or interest in, a land so
6 that such title or interest becomes a matter for public record, and all persons
7 who have interest in the land may be informed thereof, actually or
8 constructively, and be bound thereby if they make no objections thereto within
9 a specific time.

10 (m) "Land Registration Authority (LRA)" refers to the attached agency
11 of the Department of Justice (DOJ), including the Registers of Deeds (RoD).

12 (n) "National Mapping and Resources Information Authority
13 (NAMRIA)" refers to the agency known by that name attached to the DENR.

14 (o) "President" refers to the President of the Philippines.

15 (p) "Public domain" refers to lands that belong to the State which may
16 either be agricultural, forest or timber, mineral or national park as provided for
17 in the Constitution.

18 (q) "Public lands" refers to lands which have not been subject to
19 private property rights or subject to sale or other modes of acquisition or
20 concession under general laws, and are devoted to public use.

21 ARTICLE II

22 CREATION OF THE LAND ADMINISTRATION AUTHORITY

23 SEC. 4. *Creation of the Land Administration Authority (LAA).* – To
24 carry out the purposes of this Act, the Land Administration Authority (LAA) is
25 hereby created and placed under the Office of the President. It shall be the
26 primary government agency responsible for land administration and public
27 land management.

28 SEC. 5. *Powers and Functions of the LAA.* – The LAA shall exercise
29 the following powers and functions:

1 (a) Conduct, integrate and regulate the functions of geodetic and
2 geophysical surveys, land classification surveys, mapping, aerial photography,
3 remote sensing, management of resource information needed by both public
4 and private sectors, and research development thereof in accordance with
5 existing laws and internationally accepted norms, procedures and standards;

6 (b) Survey, map and maintain a database to support the determination
7 of specific limits of forest lands and national parks by Congress, as provided
8 under Section 4, Article XII of the Constitution;

9 (c) Survey, map, maintain a database on, administer, manage and/or
10 dispose of all alienable and disposable lands of the public domain and other
11 lands, including foreshore and marsh lands, under the provisions of
12 Commonwealth Act No. 141, as amended, otherwise known as the Public
13 Land Act, and in accordance with existing laws;

14 (d) Manage, sell and/or dispose the remaining Friar Lands under the
15 provisions of Act No. 1120, as amended, and in accordance with existing laws;

16 (e) Manage and dispose lands of patrimonial property of the national
17 government under the provisions of Act No. 3038, or such other government
18 lands as have not been placed under the administration, management, control
19 or exclusive use of any other government agency by legislative or executive
20 issuance;

21 (f) Register original titles to land issued pursuant to Commonwealth
22 Act No. 141, as amended, and subsequent dealings of registered lands under
23 the provisions of Act No. 496 and Presidential Decree No. 1529, otherwise
24 known as the Land Registration Act and the Property Registration Decree,
25 respectively;

26 (g) Conduct, regulate and approve all types of land surveys including
27 surveys intended for the implementation of Commonwealth Act No. 141, as
28 amended, Republic Act No. 6657 or the Comprehensive Agrarian Reform

1 Law (CARL) and Republic Act No. 8371 or the Indigenous Peoples' Rights
2 Act of 1997 (IPRA);

3 (h) Prepare, issue and register all titles to land issued pursuant to
4 Commonwealth Act No. 141, as amended, and subsequent dealings of
5 registered lands including all types of tenure instruments intended for the
6 implementation of the CARL and the IPRA;

7 (i) Determine, fix and collect reasonable amounts to be charged as
8 administration fees, fines and penalties relative to the implementation of this
9 Act;

10 (j) Formulate land administration and management policies in
11 accordance with existing national laws;

12 (k) Promulgate rules, regulations, circulars and other administrative
13 issuances as may be necessary to implement the provisions of this Act;

14 (l) Perform such other functions undertaken by the LRA/RoD, the
15 LMB/LMS and the DENR-Comprehensive Agrarian Reform Program
16 (DENR-CARP) National Secretariat under Presidential Decree No. 1529 and
17 Commonwealth Act No. 141, as amended; and

18 (m) Perform such other functions as are necessary, proper and
19 incidental to implement the provisions of this Act.

20 Whenever any reference is made to the LRA/RoD, the LMB/LMS and
21 the DENR-CARP National Secretariat under Executive Order No. 192,
22 Presidential Decree No. 1529 and Commonwealth Act No. 141, as amended,
23 pertaining to a duty, power, purpose, responsibility or jurisdiction transferred
24 to the LAA by this Act, it shall be deemed to be a reference to, and to mean,
25 the LAA and the Director General of the LAA, as the case may be.

26 *SEC. 6. Stakeholders' Advisory Committee.* – The LAA shall be
27 assisted by a Stakeholders' Advisory Committee composed of the following:

28 (a) Six representatives from the basic sectors chosen through the
29 nomination process of the National Anti-Poverty Commission (NAPC);

1 (b) Two representatives from the NAPC Women’s Sectoral Council;

2 (c) Three representatives from the private sector such as, but not
3 limited to, real estate, professionals/practitioners and the academe to be
4 appointed by the President; and

5 (d) The LAA Director General, as *ex officio* member.

6 The President shall designate the chairperson from among the members
7 of the committee. Except the LAA Director General, the members of the
8 advisory committee shall not hold office in the LAA nor receive any salary but
9 shall be entitled, for actual attendance during meetings, to such allowances and
10 honoraria as are allowed by the rules and regulations promulgated by the
11 Commission on Audit.

12 SEC. 7. *Functions of the Stakeholders’ Advisory Committee.* – The
13 committee shall advise the LAA on the formulation of policies and policy
14 development pertaining to land administration and public land management
15 and shall monitor their implementation. It shall submit, within three months
16 following the end of each calendar year, a report to the President on its
17 advisory and monitoring activities.

18 SEC. 8. *Meetings of the Committee.* – The chairperson shall convene
19 regular meetings of the committee at least once every quarter. Special
20 meetings may also be called by the chairperson or at the initiative of at least
21 three members.

22 SEC. 9. *Secretariat and Logistical Support.* – The office of the LAA
23 Director General shall provide secretariat and logistical support to the
24 committee.

25 ARTICLE III

26 IMPLEMENTING MECHANISM

27 SEC. 10. *Structure and Organization.* – The LAA shall consist of:

28 (a) The office of the Director General;

29 (b) The offices of the Deputy Directors General;

1 (c) The offices of the Assistant Directors General; and

2 (d) Field offices.

3 SEC. 11. *The Director General.* – The authority and responsibility for
4 the exercise of the mandate of the LAA, the accomplishment of its objectives
5 and the discharge of its powers and functions shall be vested in the Director
6 General, of cabinet rank, who shall be appointed by the President. The
7 Director General shall have the following functions:

8 (a) Advise the President on the promulgation of rules, regulations and
9 other issuances relative to land administration and public land management;

10 (b) Serve as *ex officio* member of each division of the Land
11 Adjudication Board pursuant to Section 16 hereof;

12 (c) Establish policies and standards for the efficient and effective
13 operations of the LAA in accordance with the programs of the government;

14 (d) Promulgate rules, regulations and other issuances necessary in
15 carrying out the LAA's mandate, objectives, policies, plans, programs and
16 projects;

17 (e) Exercise control and supervision over all functions and activities of
18 the LAA;

19 (f) Delegate authority over all powers, functions and activities of the
20 LAA; and

21 (g) Perform such other functions as may be provided by law or
22 assigned by the President.

23 SEC. 12. *Office of the Director General.* – The office of the Director
24 General shall consist of the Director General, his immediate staff and the
25 office of the Legal Services.

26 SEC. 13. *Deputy Directors General.* – The Director General shall be
27 assisted by at least three Deputy Directors General who shall be appointed by
28 the President. At least one of the Deputy Directors General shall be a member
29 of the bar or a geodetic engineer with at least five years experience in any land

1 administration function. The Director General is hereby authorized to
2 delineate, assign and/or reassign the respective functional areas of
3 responsibility of the Deputy Directors General: *Provided*, That no Deputy
4 Director General shall be assigned primarily administrative responsibilities.
5 Within his functional area of responsibility, a Deputy Director General shall
6 have the following functions:

7 (a) Advise the Director General in the promulgation of administrative
8 orders and other issuances with respect to his area of responsibility;

9 (b) Exercise supervision over the offices, departments or operating
10 units, and officers and employees under his responsibility;

11 (c) Promulgate rules and regulations that will efficiently and
12 effectively govern the activities of the units under his responsibility;

13 (d) Coordinate the functions and activities of the units under his
14 responsibility with those of other units under the responsibility of other
15 Deputy Directors General;

16 (e) Exercise authority on substantive and administrative matters related
17 to the functions and activities of the units under his responsibility as may be
18 delegated by the Director General; and

19 (f) Perform such other functions as may be provided by law or
20 assigned by the Director General.

21 SEC. 14. *Assistant Directors General.* – The Director General and
22 Deputy Directors General shall be assisted by five Assistant Directors General
23 in the formulation, management and implementation of land administration
24 and public land management laws, policies, plans, programs and projects.

25 SEC. 15. *Field Offices.* – The LAA shall establish permanent field
26 offices at city and provincial levels. The LAA may also establish additional
27 field offices in a city or province as it may determine for the efficient and
28 effective delivery of its services subject to the approval of the President:

1 *Provided*, That the additional field offices may be abolished by the Director
2 General when these are no longer necessary.

3 The field offices shall undertake, among others, the following
4 functions:

5 (a) Implement laws, policies, plans, programs, projects, rules and
6 regulations of the LAA on land administration and public land management;

7 (b) Provide efficient and effective delivery of services to the people;

8 (c) Coordinate with field or branch offices of other agencies of the
9 government in the region and with local government units in the enforcement
10 of land administration and public land management laws and regulations and
11 in the formulation and implementation of programs and projects;

12 (d) Recommend and, upon approval, implement programs and projects
13 on land administration and management and related concerns;

14 (e) Conduct a comprehensive inventory of alienable and disposable
15 lands of the public domain and of patrimonial properties and formulate
16 district/provincial/regional short- and long-term development plans for the
17 management, administration, utilization and disposition of such lands toward
18 national development; and

19 (f) Perform such other functions as may be assigned by the Director
20 General and/or as provided by law.

21 ARTICLE IV

22 LAND ADJUDICATION BOARD

23 SEC. 16. *Creation of the Land Adjudication Board (LAB).* – There is
24 hereby created a Land Adjudication Board (LAB) that shall exercise primary
25 jurisdiction to determine and adjudicate land administration and public land
26 management matters. The LAB shall have exclusive original jurisdiction over
27 all matters involving the implementation of laws, rules and regulations on land
28 administration and public land management including petitions for the
29 correction of clerical or typographical errors committed in writing, copying,

1 transcribing or typing of an entry in the maps, survey plans and certificates of
2 land titles, except those cases falling under the jurisdiction of the Department
3 of Land Reform (DLR) unless specifically provided herein.

4 The LAB shall be divided into three divisions. Each division shall
5 exercise equal powers, independently resolving cases raised on appeal from
6 the decisions of the Local Land Adjudication Boards, created pursuant to
7 Section 18 hereof, from Luzon, Visayas and Mindanao: *Provided*, That the
8 divisions assigned to handle cases from Visayas and Mindanao shall hold
9 permanent office in any of the cities therein.

10 SEC. 17. *Composition.* – Each division of the LAB shall be composed
11 of three permanent members who shall be appointed by the President:
12 *Provided*, That the Director General of the LAA shall sit as *ex officio* or fourth
13 member of each division.

14 The permanent members of each division shall elect their presiding
15 officer.

16 SEC. 18. *Local Land Adjudication Board.* – The LAB shall create a
17 Local Land Adjudication Board in the provincial or city office which shall be
18 composed of three members who shall be appointed by the LAB. Decisions,
19 orders and resolutions of the Local Land Adjudication Board shall be raised
20 on appeal to the LAB.

21 SEC. 19. *Budget and Administrative Support.* – The LAB shall
22 determine and propose its budgetary requirements and shall be submitted as
23 part of the LAA's budget request. Disbursements of the approved budget
24 resources shall be the sole responsibility of the LAB. Secretariat services shall
25 be provided by the LAA.

26 SEC. 20. *Proceedings and Procedures.* – The LAB shall not be bound
27 by technical rules of procedure and evidence but shall proceed to hear and
28 decide all cases, disputes or controversies in a most expeditious manner,
29 employing all reasonable means to ascertain the facts of every case in

1 accordance with justice and equity and the merits of the case. Towards this
2 end, it shall adopt a uniform rules of procedure to achieve a just, expeditious
3 and inexpensive determination of merits: *Provided*, That it shall endeavor to
4 settle disputes and controversies amicably.

5 In the exercise of its functions, the LAB shall have the power to
6 summon witnesses, administer oaths, take testimony, require submission of
7 reports, compel the production of books and documents and answers to
8 interrogatories, issue *subpoena* and *subpoena duces tecum* and enforce its
9 writs through sheriffs or other duly deputized officers. It shall punish direct
10 and indirect contempt in the same manner and subject to the same penalties as
11 provided for in the Rules of Court.

12 Responsible persons shall be allowed to represent themselves or their
13 organizations in any proceedings before the LAB: *Provided, however*, That
14 when there are two or more representatives for any individual or group, the
15 representatives should choose only one from among themselves to represent
16 such party or group before any LAB proceedings.

17 SEC. 21. *Finality of Determination*. – Any case or controversy before
18 the LAB shall be decided within thirty (30) days after it is submitted for
19 resolution. Only one motion for reconsideration shall be allowed. Moreover,
20 any order, award, ruling or decision shall be final after the lapse of fifteen (15)
21 days from receipt by the parties of a copy thereof.

22 SEC. 22. *F frivolous Appeals*. – To discourage frivolous or dilatory
23 appeals from the decisions, awards, rulings or orders, the LAB may impose
24 reasonable penalties including, but not limited to, fines or censures upon
25 erring parties.

26 ARTICLE V

27 JUDICIAL REVIEW

28 SEC. 23. *Certiorari*. – Any decision, order, award or ruling of the LAA
29 on any dispute or on any matter pertaining to the application, implementation,

1 enforcement or interpretation of this Act and other pertinent laws on land
2 administration and public land management may be brought to the Court of
3 Appeals by certiorari within fifteen (15) days from the receipt of a copy
4 thereof.

5 The findings of fact of the LAA shall be final and conclusive if based
6 on substantial evidence.

7 SEC. 24. *Restraining Order or Preliminary Injunction.* – Only the
8 Court of Appeals and the Supreme Court of the Philippines shall have
9 jurisdiction to issue any restraining order or writ of preliminary injunction
10 against the LAA or any of its duly authorized or designated offices in any case,
11 dispute or controversy arising from, necessary to, or in connection with the
12 application, implementation, enforcement or interpretation of this Act and
13 other pertinent laws on land administration and public land management.

14 SEC. 25. *Procedure on Review.* – Review by the Court of Appeals or
15 the Supreme Court, as the case may be, shall be governed by the Rules of
16 Court. The Court of Appeals, however, may require the parties to file
17 simultaneous memoranda within a period of fifteen (15) days from notice,
18 after which the case is deemed submitted for decision.

19 ARTICLE VI

20 TRANSITORY PROVISIONS

21 SEC. 26. *Transfer of Powers.* – The powers and functions of the LAA
22 heretofore vested by law in the DENR, the DOJ, the LRA/RoD, the
23 LMB/LMS, the DENR-CARP National Secretariat and the LAMP, or in any
24 office within or attached to these agencies, are hereby transferred to and
25 vested in the office of the LAA Director General.

26 SEC. 27. *Transfer of the NAMRIA as an Attached Agency of the LAA.*
27 – The NAMRIA is hereby attached to the LAA. It shall retain its functions,
28 structure, budgetary allocation under the current General Appropriations Act

1 and all properties, equipment and other facilities necessary in the performance
2 of its mandate.

3 SEC. 28. *Organization of the LAA.* – The LAA’s organizational and
4 administrative structure and functions and staffing pattern, which shall not
5 exceed the total number of permanent positions that have been merged,
6 including the personnel’s duties and responsibilities and the appropriate
7 compensation package, shall be submitted by the Director General for review
8 and approval of the President and shall be fully implemented within a period
9 of three months after such approval.

10 SEC. 29. *Transfer of Personnel.* – To ensure a smooth transition, all
11 incumbent personnel of the DENR’s LMB/LMS, the DENR-CARP National
12 Secretariat and its field offices, the LAMP and the DOJ’s LRA/RoD shall
13 continue to perform their present duties and functions as interim personnel of
14 the LAA until such time, being not later than twelve (12) months from the
15 effectivity of this Act, that the regular staff of the LAA, based on the new
16 staffing pattern, shall have been appointed: *Provided,* That the regular
17 personnel shall be appointed by the Director General, or his/her duly
18 authorized representative, on the basis of merit, previous permanent
19 appointment, fitness and seniority: *Provided, moreover,* That except for the
20 positions of Director General and Deputy Directors General, there shall be no
21 hiring of new personnel for the LAA.

22 SEC. 30. *Abolition of the LMB/LMS, the DENR-CARP National*
23 *Secretariat and the LRA/RoD.* – The DENR’s LMB, LMS and CARP National
24 Secretariat and its field offices, and the DOJ’s Land Registration Authority
25 and Register of Deeds are hereby abolished.

26 SEC. 31. *Separation Pay and Other Benefits.* – Personnel who are not
27 offered appointment within twelve (12) months upon the effectivity of this Act
28 under the new staffing pattern of the LAA on at least equivalent terms and
29 conditions as their present employment by reason of duplication or

1 redundancy and those who decline an appointment in the LAA by reason of
2 diminution in rank and conditions shall be entitled to the separation pay and
3 other benefits in accordance with Sections 10.1 to 10.3 and 13 of Executive
4 Order No. 366 dated October 4, 2004.

5 SEC. 32. *Reemployment.* – Government personnel who are separated
6 as a result of the integration of the aforecited offices may apply for positions
7 and be employed in other agencies or branches of the government including
8 government-owned and/or -controlled corporations (GOCCs), government
9 financial institutions (GFIs) or local government units (LGUs).

10 SEC. 33. *Unexpended Appropriations and Transfer of Assets.* – The
11 unexpended balances of appropriations in the current General Appropriations
12 Act and other laws in force upon approval hereof, pertaining to, held, or used
13 by, or available to the LRA and RoD, the LMB, the LMS, the DENR-CARP
14 National Secretariat and its field offices, and the LAMP are hereby transferred
15 to the LAA.

16 Such other unexpended balances of appropriations as may be deemed
17 appropriate by the Department of Budget and Management for transfer to the
18 LAA shall also be so transferred.

19 All real and personal properties, assets, liabilities, records, documents,
20 positions, appropriations, contracts and agreements which, upon the effectivity
21 of this Act, are vested in, or owned, by the LMB/LMS, the DENR-CARP
22 National Secretariat and its field offices, the LRA/RoD and the LAMP are
23 hereby transferred to the LAA.

24 SEC. 34. *Penal Provisions.* – Any person who sells forms issued and
25 distributed gratuitously under this Act or who, being an officer charged with
26 distributing them, refuses or fails without sufficient reason to furnish the same
27 shall be punished for each offense by a fine of not less than One hundred
28 thousand pesos (P100,000.00) and not more than One million pesos

1 (P1,000,000.00) or imprisonment of not less than six months nor more than
2 three years, or both, at the discretion of the court.

3 Any person, corporation, association or partnership which, not being
4 qualified or no longer authorized to apply for registration purposes, files or
5 induces or knowingly permits another person, corporation, association or
6 partnership to file an application in his/her or its behalf, or for his/her or its
7 interest, benefit or advantage shall be punished for each offense by a fine of
8 not less than One hundred thousand pesos (P100,000.00) or imprisonment of
9 not less than five years, or both, at the discretion of the court: *Provided*, That
10 in case the offender is a corporation, association or partnership, their
11 responsible officials shall be deemed jointly and severally liable. The
12 application shall be cancelled.

13 Any person who shall, by deceit or fraud, acquire or attempt to acquire
14 lands of the public domain or other real property or any right, title or interest,
15 or property right of any class to the same, and any person aiding and abetting
16 him therein or serving as a means or tool thereof shall, upon conviction, be
17 punished by a fine of not less than One hundred thousand pesos (P100,000.00)
18 and imprisonment of not less than five years nor more than twelve (12) years,
19 or both, at the discretion of the court.

20 Any person who shall tamper or attempt to tamper any records of the
21 LAA that will result in the acquisition of rights, title or interest over real
22 property and any person aiding and abetting him therein or serving as a means
23 or tool thereof shall, upon conviction, be punished by a fine of not less than
24 Five hundred thousand pesos (P500,000.00) and imprisonment of not less than
25 twelve (12) years, or both, at the discretion of the court.

26 For purposes of this Act, if the offender is a public official or
27 government official or employee, he or she shall be, in addition to the existing
28 penalties, removed from office, forfeit all retirement benefits except the

1 monetary value of accumulated leave credits and be perpetually disqualified
2 from holding any elective or appointive public office.

3 SEC. 35. *Preservation of Records* -- The LAA shall have possession
4 and control of all records, books, papers, offices, equipment, supplies,
5 moneys, funds, appropriations, land and other property, real or personal, held
6 for the benefit or use of all bodies, offices and officers whose duties, powers
7 and functions have been transferred to and conferred upon the Authority.

8 Pending a written notice of receipt issued by a duly authorized officer
9 of the LAA, it shall be the duty of any and all personnel responsible for, or in
10 possession of records relating to the affairs of the LMB, the LMS, the DENR-
11 CARP National Secretariat and its field offices, the LRA and the RoD to
12 protect and preserve such records.

13 Without prejudice to any other penalties provided for by law, any
14 person who fails to fulfill his/her duty pursuant to the above paragraph shall be
15 guilty of an offense against the provisions of this Act, punishable by a fine of
16 not less than One million pesos (P1,000,000.00) or imprisonment of not more
17 than five years, or both, at the discretion of the court.

18 SEC. 36. *Saving Clause*. -- All orders, determination, rules, regulations,
19 permits, certificates, licenses and privileges which have been issued, made or
20 granted effective by the former LMB, LMS, LRA, RoD, DENR-CARP
21 National Secretariat and its field offices, and LAMP, or their predecessors
22 shall continue to be in effect according to their terms until modified,
23 terminated, superseded, set aside or repealed.

24 No suit, action or other proceedings commenced by or against any
25 officer in his official capacity as an officer of any division or unit of the
26 former LMB, LMS, LRA, RoD, DENR-CARP National Secretariat and its
27 field offices, and LAMP, the functions of which are transferred by this Act to
28 the LAA shall abate by reason of this Act. In like manner, no cause of action
29 by or against such division or unit or by or against any officer thereof in his

1 official capacity shall abate by reason of the enactment of this Act. Causes of
2 actions, suits or other proceedings may be asserted for or against the LAA or
3 such official of the LAA, as may be appropriate.

4 ARTICLE VII

5 MISCELLANEOUS PROVISIONS

6 SEC. 37. *Use of Income.* – The LAA is hereby authorized to use twenty
7 percent (20%) of all revenues derived from fees, charges and other sources in
8 the implementation of its projects.

9 SEC. 38. *Assurance Fund.* – A special account within the LAA is
10 hereby created for the entire proceeds of the Assurance Fund, which shall no
11 longer be paid to the National Treasurer as provided for in Section 94 of
12 Presidential Decree No. 1529. Claims from the Assurance Fund shall be
13 heard, decided and determined by the LAB. All pending cases or claims
14 against the Assurance Fund now being handled by the Bureau of Treasury,
15 through the Office of the Solicitor General, shall likewise be transferred to the
16 LAB. Thereafter, the National Treasurer shall no longer be impleaded as
17 party in any action against the Assurance Fund.

18 SEC. 39. *Indemnification of Officials and Personnel.* – The LAA shall
19 indemnify all officials and personnel for all costs and expenses reasonably
20 incurred by such persons in connection with any civil or criminal actions, suits
21 or proceedings to which they may be or made a party by reason of the
22 performance of their functions or duties, unless they are finally adjudged in
23 such actions or proceedings to be liable.

24 In the event of settlement or compromise, indemnification shall be
25 provided only in connection with such matters covered by the settlement as to
26 which the LAA is advised by an external counsel that the persons to be
27 indemnified did not commit any gross negligence or misconduct.

28 The costs and expenses incurred in defending the aforementioned
29 action, suit or proceeding may be paid by the LAA in advance of the final

1 disposition of such action, suit or proceeding upon receipt of an undertaking
2 by or on behalf of the Director General wherein the official or employee shall
3 repay the amount advanced should it ultimately be determined by the LAA that
4 such official or employee is not entitled to be indemnified as provided in this
5 section.

6 SEC. 40. *Implementing Rules and Regulations.* – Within sixty (60)
7 days from the effectivity of this Act, the LAA shall promulgate the rules and
8 regulations to implement the provisions of this Act. Said rules and regulations
9 shall be submitted to the Congressional Oversight Committee for approval.

10 SEC. 41. *Congressional Oversight Committee on the Land*
11 *Administration Reform Act.* – There is hereby created a Congressional
12 Oversight Committee composed of seven Members from the Senate
13 Committee on Environment and Natural Resources and seven Members from
14 the House of Representatives Committees on Natural Resources, Housing and
15 Urban Development, and Government Reorganization.

16 The Congressional Oversight Committee, which shall function for a
17 period of not more than three years, shall review the implementing rules
18 promulgated by the LAA including the procedures on claims against the
19 Assurance Fund and shall oversee the implementation of this Act.

20 The secretariat of the Congressional Oversight Committee shall be
21 drawn from the existing secretariat personnel of the committees of the Senate
22 and the House of Representatives comprising the oversight committee and the
23 funding for its operations shall be taken from the existing budget of the
24 concerned committees.

25 SEC. 42. *Separability Clause.* – Should any provision of this Act or
26 any part hereof be declared unconstitutional or invalid by a court, the other
27 provisions hereof which are not affected thereby shall remain in force and
28 effect.

1 SEC. 43. *Repealing Clause.* – The pertinent provisions of the CARL
2 and the IPRA with regard to the conduct of survey, approval of survey results,
3 preparation and issuance of tenure instruments, and the provisions of
4 Presidential Decree No. 1529 pertaining to the Assurance Fund and their
5 implementing rules and regulations are hereby amended or modified
6 accordingly.

7 All other laws, decrees, orders, instructions, proclamations, rules and
8 regulations or parts thereof, including pertinent provisions of Commonwealth
9 Act No. 141, as amended, Act No. 496, Presidential Decree No. 1529,
10 Executive Order No. 192 and its related rules and regulations; Executive
11 Order No. 469 dated February 11, 1981 and the subsequent Presidential
12 Memorandum Circular dated September 30, 1988 and their related rules and
13 regulations; and the Administrative Code of 1987, which are inconsistent with
14 any provision of this Act, are hereby repealed, modified or amended
15 accordingly.

16 SEC. 44. *Effectivity.* – This Act shall take effect fifteen (15) days after
17 its complete publication in the *Official Gazette* or in a newspaper of general
18 circulation.

Approved,

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