

AN ACT TO AMEND SECTIONS THIRTY-FOUR, THIRTY-SIX AND THIRTY-SEVEN OF ACT NUMBERED TWENTY-EIGHT HUNDRED AND SEVENTY-FOUR KNOWN AS "THE PUBLIC LAND ACT."

Commonwealth Act No. 30, September 08, 1936

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Be it enacted by the National Assembly of the Philippines:

SECTION 1. Section thirty-four of Act Numbered Twenty-eight hundred and seventy-four, as amended by section seven of Act Numbered Thirty-five hundred and seventeen, is hereby further amended so as to read as follows:

"SEC. 34. Any citizen of lawful age of the Philippines or of the United States, and any corporation or association of which at least sixty per centum of the capital stock or of any interest in said capital stock belongs wholly to citizens of the Philippines or of the United States, and which is organized and constituted under the laws of the Philippines or of the United States or of any state thereof and authorized to transact business in the Philippines, may lease any tract or tracts of agricultural public land available for lease under the provisions of this Act, not exceeding a total of one thousand and twenty-four hectares. If the land leased is adapted to and be devoted for grazing purposes, an area not exceeding two thousand hectares may be granted. No member, stockholder, officer, representative, attorney, agent, employee or bondholder of any corporation or association holding or controlling under lease or otherwise agricultural land in excess of one hundred and forty-four hectares shall apply, directly or indirectly, for agricultural public land except under the homestead and free patent provisions of this Act. No lease shall be permitted to interfere with any prior claim by settlement or occupation, until the written consent of the occupant or settler is first had, or until such claim shall be legally extinguished, and no person, corporation, or association shall be permitted to lease lands hereunder which are not reasonably necessary to carry on his business in case of an individual, or the business for which it was lawfully created and which it may lawfully pursue in the Philippines, if an association or corporation."

SEC. 2. Section thirty-six of Act Numbered Twenty-eight hundred and seventy-four, as amended by section eight of Act Numbered Thirty-five hundred and seventeen, is hereby further amended so as to read as follows:

"SEC. 36. The annual rental of the land leased shall not be less than three per centum of the value of the land, according to the appraisal and reappraisal made in accordance with section one hundred and fourteen of this Act. But if the land leased is adapted to and be devoted for grazing purposes, the annual rental shall be not less than two per centum of the appraised and reappraised value thereof. Every contract of lease under the provisions of this chapter shall contain a clause to the effect that a reappraisal of the land leased shall be made every ten years from the date of the approval of the contract, if the term of the same shall be in excess of ten years. In case the lessee is not agreeable to the reappraisal and prefers to give up his contract of lease, he shall notify the Director of Lands of his desire within the six months next preceding the date on which the reappraisal takes effect, and in case his request is approved, the Director of Lands may, if the lessee should so desire, proceed in accordance with section ninety-eight of this Act.

"The rent, which shall be paid yearly in advance, shall accrue from the date of the approval of the lease, and the first payment thereof shall be made in the Bureau of Lands on the date of the approval of the application."

SEC. 3. Section thirty-seven of Act Numbered Twenty-eight hundred and seventy-four, as amended by section

nine of Act Numbered Thirty-five hundred and seventeen, is hereby further amended so as to read as follows:

“SEC. 37. Leases shall run for a period of not more than twenty-five years, but may be renewed once for another period of not to exceed twenty-five years, in case the lessee shall have made important improvements which, in the opinion of the Secretary of Agriculture and Commerce, justify a renewal. Upon the final expiration of the lease, all buildings and other permanent improvements made by the lessee, his heirs, executors, administrators, successors, or assigns shall have become the property of the Government, and the land together with the said improvements shall be disposed of in accordance with the provisions of chapter five of this Act. It shall be an inherent and essential condition of the lease that the lessee shall have not less than one-third of the land broken and cultivated within five years after the date of the approval of the lease and shall not assign, encumber, or sublet his rights without the consent of the Secretary of Agriculture and Commerce, and that the violation of this condition shall avoid the contract: Provided, That assignment, encumbrance, or subletting for purposes of speculation shall not be permitted in any case: Provided, further, That nothing contained in this section shall be understood or construed to permit the assignment, encumbrance, or subletting of lands leased under this Act or under the former Public Land Act, to persons, corporations, or associations which under this Act, are not authorized to lease public lands.”

SEC. 4. This Act shall take effect upon its approval.

Approved, September 8. 1936.

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