

DECLARING ANCESTRAL LANDS OCCUPIED AND CULTIVATED BY NATIONAL CULTURAL COMMUNITIES AS ALIENABLE AND DISPOSABLE, AND FOR OTHER PURPOSES

PRESIDENTIAL DECREE NO. 410, March 11, 1974

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/1efeeb5b562d/>

WHEREAS, it is the avowed policy of the Government to assist landless tenants, whether Christian or Muslim, in acquiring full ownership of the lands occupied or cultivated by them;

WHEREAS, tenants in agricultural lands primarily devoted to rice and corn production have been granted the fullest opportunity to own the land tilled by them in the easiest possible way and under terms less burdensome to them;

WHEREAS, under the New Society, the social justice programs are given top priority, and in furtherance thereof a greater portion of the resources of the Government have been channeled to them; and

WHEREAS, in order to give greater substance to these social justice programs and the endeavors to bring forth equality for all citizen of this Republic, it is required that landless Muslims and members of other cultural minority groups shall be given the same opportunity to own the lands occupied and cultivated by them, which lands were likewise occupied and cultivated by their ancestors;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers in me vested by the Constitution as Commander-in-Chief of all the Armed Forces of the Philippines, and pursuant to Proclamation No. 1081, dated September 21, 1972, and General Order No. 1, dated September 22, 1972, as amended, do hereby decree and other:

SECTION 1. Ancestral Lands. — Any provision of law, decree, executive order, rule or regulation to the contrary notwithstanding all unappropriated agricultural lands agricultural lands forming part of the public domain at the date of the approval of this Decree occupied and cultivated by members of the National Cultural Communities for at least ten (10) years before the effectivity of this Decree, particularly in the Provinces of Mountain Province, Cagayan, Kalinga-Apayao, Ifugao, Pampanga, Rizal, Palawan, Lanao del Sur, Lanao del Norte, Sultan Kudarat, Maguindanao, North Cotabato, South Cotabato, Sulu, Tawi-Tawi, Zamboanga del Sur, Zamboanga del Norte, Bukidnon, and Basilan are hereby declared part of the ancestral lands of these National Cultural Communities and as such these lands are further declared alienable and disposable if such lands are further declared alienable and disposable if such lands have not been earlier declared as alienable and disposable by the Director of Forest Development to be distributed exclusively among members of the National Cultural Communities concerned, as declined under the Constitution and under Republic Act Numbered Eighteen Hundred Eighty-Eight: Provided, however, That lands of the public domain heretofore reserved for settlement purposes under the administration of the Department of Agrarian Reform and other areas reserved for other public or quasi-public purposes shall not be subject to disposition in accordance with the provisions of this Decree: Provided, further, That the Government in the interest of its development program, may establish agro-industrial projects in these areas for the purpose of creating conditions for employment and thus further enhance the progress of the people.

For purposes of this Decree, ancestral lands are lands of the public domain that have been in open, continuous, exclusive and notorious occupation and cultivation by members of the National Cultural Communities by themselves or through their ancestors, under a bona fide claim of acquisition of ownership according to their customs and traditions for a period of at least thirty (30) years before the date of approval of this Decree. The interruption of the period of their occupation and cultivation on account of civil disturbance or force majeure shall not militate against their right granted under this Decree.

SEC. 2. In provinces other than those enumerated under Section 1 hereof where there are National Cultural Communities, the President upon the recommendation of the Secretary of Agriculture and Natural Resources shall designate the areas to be set aside as ancestral lands.

SEC. 3. Upon the approval of this Decree, the lands herein mentioned for the National Cultural Communities shall be identified, surveyed and subdivided by the Bureau of Lands into family-size farm lots not exceeding five (5) hectares each and shall be allocated to members of the National Cultural Communities under such terms and conditions prescribed in this Decree or to be prescribed in the rules implementing this Decree.

SEC. 4. Land Occupancy Certificates shall be issued to all members of the National Cultural Communities who are presently occupying and cultivating lands of the public domain within ancestral lands as defined in this Decree.

To expedite the issuance of these Land Occupancy Certificates the District Land Officers are hereby authorized to sign them in behalf of the Secretary of Agriculture and Natural Resources.

SEC. 5. No land granted in accordance with this Decree shall be transferred, sold or otherwise alienated within a period of ten (10) years after acquisition of such lands or any right or interest thereto except in favor of the cooperative of which the owner is a member or in favor of the Government or any of its agencies, branches or instrumentalities.

SEC. 6. The Secretary of Agriculture and Natural Resources, who shall be the implementing officer for this Decree, upon the recommendation of the Director of Lands, and the Director of Forest Development shall promulgate rules and regulations necessary for the proper implementation of this Decree.

Among others, the implementing rules shall provide:

- That a recipient of the lands allocated under this Decree must first be a member of a farmer cooperative within his community before a Certificate of Land Occupancy shall be issued to him.
- That no mortgage of or other encumbrances on any such lands, rights or interest therein, shall be valid unless approved by the Secretary of Agriculture and Natural Resources or his duly authorized representative.

SEC. 7. The Secretary of Agriculture and Natural Resources shall have authority to call upon other departments, bureaus, offices and agencies of the Government for such assistance as may be required to implement the provisions of this Decree, especially the Department of Agrarian Reform.

SEC. 8. Occupants of ancestral lands as defined under this Decree are hereby given a period of ten (10) years from the date of approval hereof within which to file applications to perfect their title to the lands occupied by them, otherwise, they shall lose their preferential rights thereto and the land shall be declared open for allocation to other deserving applicants.

SEC. 9. Any person or public officer who violates any provision of this Decree, or any regulation promulgated in accordance therewith, shall be punished by a fine of not more than one thousand pesos (P1,000) or by imprisonment of not more than six (6) months or both at the discretion of the Court: Provided, That the land

acquired by any person in violation of this Decree and of the Public Land Act shall revert to the public domain: Provided, further, That such violation shall bar the violator from again acquiring land under the provisions of this Decree and of the Public Land Act.

SEC. 10. Any provision of law, decree, general order, executive order, rule or regulation contrary hereto are hereby repealed or modified accordingly.

SEC. 11. This Decree shall take effect immediately.

Done in the City of Manila, this 11th day of March, in the year of Our Lord, nineteen hundred and seventy-four.

(Sgd.) FERDINAND E. MARCOS

President

Republic of the Philippines

By the President:

(Sgd.) ALEJANDRO MELCHOR

Executive Secretary

ABOUT BATAS.ORG

Study smarter at BATAS.org

The Philippine bar review and law-school companion built around how your brain actually remembers.

The complete Philippine law library - free for everyone.

More than 100,000 Supreme Court decisions, Republic Acts, and executive issuances - full-text searchable, browsable by category and year, and always free. No paywall, no login. This PDF came from it.

Audio case-brief lectures.

Any decision becomes a podcast-style lecture - facts, issues, ruling, and doctrine - with read-along highlighting and a hands-free presentation mode. Study while commuting, working out, or resting your eyes.

Bar review built on the science of memory.

Complete, sequenced courses for all eight bar subjects, narrated like podcasts and reinforced with retrieval practice and spaced review - the study techniques with the strongest evidence behind them.

The full law-school curriculum.

One subscription unlocks the entire J.D. curriculum - every subject, every lesson, with your progress tracked down to the paragraph so you can pick up exactly where you left off, on any device.

Mock exams that tell you where you stand.

Timed multiple-choice exams graded instantly, with per-subject score breakdowns and focus suggestions that point you at your weakest topics first.

A study planner that keeps you on pace.

Set your schedule and BATAS tells you every day whether you are on track for bar day - and exactly which lesson to take next.

Start free at <https://batas.org>

The law library is free forever - and your first lesson is one click away.

The text of this document is an official public record and remains in the public domain. Formatting, presentation, and compilation © 2026 batas.org.

Downloaded free from the batas.org Law Library. Share it freely - the library is free for every law student, bar reviewee, and practitioner.