

AN ACT TO AMEND SECTION ONE HUNDRED AND FOURTEEN OF ACT NUMBERED FOUR HUNDRED AND NINETY-SIX, ENTITLED "THE LAND REGISTRATION ACT," AS AMENDED, FIXING A NEW SCHEDULE OF FEES FOR...

REPUBLIC ACT NO. 117, June 07, 1947

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Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:

SECTION 1. Section one hundred and fourteen of Act Numbered Four hundred and ninety-six, entitled "The Land Registration Act," as amended, is hereby further amended to read as follows:

"SEC. 114. Fees payable under this Act shall be as follows:

A. Fees payable to the Clerk of Court.—The fees payable to the clerk of court or his deputies shall be as follows:

1. For filing an application for the registration of land, the fees shall be based on the assessed value of the property for the current year, in accordance with the following schedule—

(a) When the value of the property does not exceed two thousand pesos, fifteen pesos for the first five hundred pesos, or fractional part thereof, and five pesos for each additional five hundred pesos, or fractional part thereof.

(b) When the value of the property is more than two thousand pesos but does not exceed ten thousand pesos, thirty-five pesos for the first three thousand pesos, or fractional part thereof, and five pesos for each additional one thousand pesos, or fractional part thereof.

(c) When the value of the property is more than ten thousand pesos but does not exceed one hundred thousand pesos, eighty pesos for the first twenty thousand pesos, or fractional part thereof, and ten pesos for each additional ten thousand pesos, or fractional part thereof.

(d) When the value of the property is more than one hundred thousand pesos but does not exceed five hundred thousand pesos, one hundred eighty pesos for the first one hundred twenty-five thousand pesos, or fractional part thereof, and twenty pesos for each additional twenty-five thousand pesos, or fractional part thereof.

(e) When the value of the property is more than five hundred thousand pesos, five hundred twenty pesos for the first five hundred fifty thousand pesos, or fractional part thereof, and forty pesos for each additional fifty thousand pesos, or fractional part thereof. If the property has not been assessed for taxation, the fees above prescribed shall be based on the current market value, and the applicant shall file with his application a sworn declaration of three disinterested persons that the value fixed by him is to their knowledge a fair valuation.

2. For filing a petition for review of decree, or other claim adverse to the registered owner, for each petition, six pesos.

3. For filing a petition after the decision has become final, three pesos. If it affects land decreed in more than one case, for each additional case, one peso. If it affects several lots or parcels of land in which the petitioners have no common interests, each of such petitioners shall pay the corresponding fees as if separate petition has been filed by him.

B. Fees payable to the Sheriff.—The sheriff shall collect fees for his services rendered in connection with land

registration and cadastral proceedings as follows:

1. For posting notices of initial hearing of land registration cases in conspicuous places on the lands described in the notice, for each parcel of land on which a copy of such notice is posted, besides travel fees, three pesos.
2. For posting notices of initial hearing of cadastral cases in conspicuous places on the lands included in the survey, for each group of one hundred lots on which a copy of the notice is posted, besides travel fees, three pesos.
3. For posting one copy of a notice of initial hearing in a conspicuous place upon the chief municipal building of the city, municipality, or municipal district in which the land or portion thereof lies, besides travel fees, two pesos.
4. For serving notices upon cadastral claimants to appear before the court, travel fees only as provided in the Rules of Court.
5. For all other services not mentioned above, the same fees including travel fees as provided in the Rules of Court for similar services.

C. Fees payable to the Register of Deeds.—The register of deeds shall collect fees for all services rendered by him under this Act in accordance with the following schedule:

1. For the entry of one original certificate of title, and issuing one duplicate certificate, six pesos for the first parcel of land described thereon, and one peso for each additional parcel: Provided, however, That in case of certificates of title under the Cadastral Act, the fees for entering one original certificate of title and issuing the owner's duplicate thereof, when the total value of the lots included therein does not exceed five hundred pesos, and irrespective of the number of such lots, shall be one peso for every one hundred pesos, or fractional part thereof.
2. For each entry in the primary entry book, fifty centavos.
3. For the annotation of an attachment or dissolution thereof, certificate of sale at public auction by virtue of an order of execution, or repurchase of the property so sold, for each parcel of land affected thereby, one peso and fifty centavos.
4. For the annotation of a notice of lis pendens, the cancellation thereof, or any annotation in connection therewith, for each parcel of land affected thereby, one peso and fifty centavos.
5. For the annotation of an affidavit of consolidation of ownership over a property sold with pacto de retro but not redeemed by the vendor within the stipulated time, for each parcel of land affected thereby, one peso and fifty centavos.
6. For the annotation of a release of mortgage or other encumbrance, for each parcel of land, one peso and fifty centavos; but the total amount of fees to be collected shall not exceed the amount of fees paid for the registration of such mortgage or encumbrance.
7. For the annotation of an order of the court for the amendment of a certificate of title, except inclusion of buildings and/or improvements, or any order directing the registration of a document, one peso and fifty centavos for each certificate of title, in addition to the fees prescribed under paragraph sixteen or seventeen, as the case may be, of this subsection, if the same are also due, for the registration of such document.
8. For the annotation of an order of the court for the inclusion of buildings and/or improvements in a certificate of title three pesos for each certificate of title if the buildings or improvements belong to a person other than the registered owner of the land. If they belong to the same registered owner, the fees shall be based on the value of such buildings and improvements in accordance with the schedule prescribed under paragraphs sixteen or seventeen, as the case may be, of this subsection.
9. For registering and filing a power of attorney, letters of administration whether or not accompanied by a copy of the testament, appointment of guardian for a minor or incompetent person, appointment of receiver, trustee, or administrator, articles of incorporation of any corporation, association or partnership, or resolution of its board of directors empowering an officer or member thereof to act behalf of the same five pesos; and for the annotation of

such papers on certificates of title when required by existing laws or regulations, one peso for each certificate of title so annotated. For registering and filing an instrument of revocation of any of said papers, one peso; and if annotated on the corresponding certificate of title, one peso for each certificate of title.

10. For the annotation of a notice of tax lien or any description, notice of lost duplicate or copy of a certificate of title, order of the court declaring such duplicate or copy null and void, notice of change of address, or the cancellation of any such annotation, for each certificate of title, one peso.

11. For transferring the memorandum of an encumbrance of any kind from one certificate of title which is cancelled to a new one issued in lieu thereof in the name of a new owner, one peso.

12. For any memorandum made in a certificate of title for which no specific fee is prescribed above, for each certificate of title, one peso and fifty centavos.

13. For the issuance of a transfer certificate of title, including its duplicate, to a trustee, executor, administrator, or receiver, or for the cancellation of such, certificate of title and issuance of a new one, including its duplicate, to the cestui que trust, in case of trusteeship, five pesos. If the certificate covers more than one parcel or lot, an additional fee of one peso shall be collected for each additional parcel or lot.

14. For the issuance of a transfer certificate of title, including its duplicate, to a person other than those named in the next preceding paragraph, two pesos, in addition to the fees hereinafter prescribed in paragraph sixteen or seventeen, as the case may be, of this subsection, if the same are also due. If the certificate covers more than one parcel or lot, an additional fee of one peso shall be elected for each additional parcel or lot.

15. For the issuance of a new or additional duplicate or copy of a certificate of title, one peso for the first page and fifty centavos for each subsequent page.

16. For the registration of a deed of sale, conveyance, transfer, exchange, partition, or donation; a deed of sale with pacto de retro, conditional sale, or any sale subject to redemption, or the repurchase or redemption of the property so sold; any instrument, order, judgment or decree divesting the title of the registered owner except in favor of a trustee, executor, administrator or receiver; any mortgage, surety, bond, lease, easement, right-of-way, or other real right or lien created or constituted by virtue of a distinct contract or agreement, and not as an incidental condition of a sale, transfer or conveyance; or the assignment, enlargement, extension or novation of a mortgage or of any other real right, where no specific fee is prescribed therefor in the preceding paragraphs, the fees shall be based on the value of the consideration in accordance with the following schedule:

(a) When the value of the consideration does not exceed six thousand pesos, three pesos for the first five hundred pesos, or fractional part thereof, and one peso for each additional five hundred pesos, or fractional part thereof,

(b) When the value of the consideration is more than six thousand pesos but does not exceed thirty thousand pesos, seventeen pesos for the first eight thousand pesos, or fractional part thereof, and three pesos for each additional two thousand pesos, or fractional part thereof.

(c) When the value of the consideration is more than thirty thousand pesos but does not exceed one hundred thousand pesos, fifty-five pesos for the first thirty-five thousand pesos, or fractional part thereof, and five pesos for each additional five thousand pesos, or fractional part thereof.

(d) When the value of the consideration is more than one hundred thousand pesos but does not exceed five hundred thousand pesos, one hundred twenty-seven pesos for the first one hundred ten thousand pesos, or fractional part thereof, and seven pesos for each additional ten thousand pesos, or fractional part thereof.

(e) When the value of the consideration is more than five hundred thousand pesos, four hundred ten pesos for the first five hundred twenty thousand pesos, or fractional part thereof, and ten pesos for each additional twenty thousand pesos, or fractional part thereof.

17. In the following transactions, the basis of the fees collectible under paragraph sixteen of this subsection, instead of the value of the consideration, shall be as here-under set forth:

(a) In the exchange of real property the basis of the fees to be paid by each party shall be the assessed value of the properties acquired by one party from the other, in addition to the value of any other consideration, if any, stated in the contract.

(b) In the transmission of an hereditary estate without partition or subdivision of the property among the heirs, devisees, or legatees, the basis shall be the total assessed value of the property thus transmitted.

(c) In the partition of an hereditary estate which is still in the name of the deceased, in which determinate properties are adjudicated to each heir, devisee or legatee, or to each group of heirs, devisees or legatees, the basis of the fees to be paid by each person or group, as the case may be, shall be the total assessed value of the properties thus adjudicated to each person or group. In the case, however, of conjugal property, the registration of one-half thereof in the name of the surviving spouse shall be exempt from the fees collectible under paragraph sixteen of this subsection.

(d) In the partition of real property held in common by several registered co-owners, the basis of the fees to be paid by each co-owner shall be the total assessed value of the property taken by each co-owner.

(e) In the sale, conveyance or transfer of two or more parcels of land in favor of two or more separate parties but executed in one single instrument, the basis shall be the total selling price paid by each party-buyer, or, in the case of lump sum consideration, such portion thereof as apportioned in accordance with the assessed value of the respective land acquired by each party-buyer.

(f) In contracts of lease, the basis shall be the sum total to be paid by the lessee during the entire period specified in the contract, including the extension contemplated by the parties which may be given effect without the necessity of further registration. If the period is from year to year, or otherwise not fixed, the basis shall be the total amount of rentals due for twenty-four months.

(g) In other transactions where the actual value of the consideration is not fixed in the contract or cannot be determined from the terms thereof, the basis shall be the current assessed value of such property.

18. For furnishing copies of any entry, decree, document, or other papers on file, twenty centavos for each hundred words or fraction thereof contained in the copies thus furnished.

19. For certifying a copy furnished under the next preceding paragraph, for each certificate, fifty centavos.

20. For issuing a certificate relative to, or showing the existence or non-existence of, an entry in the registration books or a document on file, for each certificate containing not more than two hundred words, two pesos; if it exceeds that number an additional fee of thirty centavos shall be collected for every one hundred words in excess of the first two hundred."

SEC. 2. This Act shall take effect upon its approval.

Approved, June 7, 1947.

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