

PROHIBITING THE EMPLOYMENT OR USE OF SHARE TENANTS IN COMPLYING WITH REQUIREMENTS OF LAW REGARDING ENTRY, OCCUPATION, IMPROVEMENT AND CULTIVATION OF PUBLIC LANDS, AMENDING FOR T...

PRESIDENTIAL DECREE NO. 152, March 13, 1973

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WHEREAS, one of the objectives of the State is to abolish tenancy and all its attendant evils, and to emancipate the tenant from the bondage of the soil so as to secure for him a dignified existence consistent with his role as the basic foundation of our society;

WHEREAS, several applicants for, or holders of, lands of the public domain do not occupy and cultivate the lands themselves but have resorted to the pernicious practice of employing or using tenants for the purpose of complying with the entry, occupation and cultivation requirements of the Public Land Act; and

WHEREAS, although the courts in the past have invariably upheld the right of public land applicants to use tenants in the occupation and cultivation of the lands applied for by them, such ruling is no longer in keeping with the state policies and concepts of the New Constitution;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me 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 order the following:

- It shall be an essential condition in every application for, or grant of, agricultural lands of the public domain under the provisions of Commonwealth Act No. 141, as amended, that the applicant or his transferee shall enter and work upon, improve and cultivate the land by himself within the periods prescribed for the various modes of concession under the said Act.
- The employment or use of share tenants in whatever form for purposes of complying with the requirements of the Public Land Act regarding entry, occupation, improvement and cultivation, is hereby prohibited and any violation hereof shall constitute a ground for the denial of the application, cancellation of the grant and forfeiture of improvements on the land in favor of the Government.
- Lands covered by application or grants that have been rejected, cancelled or revoked for violation of this Decree shall be disposed of to other qualified persons who will till the land themselves but the share tenant actually tilling the land shall be entitled to preferential right to acquire the portion actually tilled by him if he is not otherwise disqualified to apply for the same under the provisions of the Public Land Act.
- Agricultural lands originally tilled under the provisions of the Public Land Act may be sold to individuals not otherwise disqualified to acquire the same subject to the existing provisions of the Public Land Act. However, it shall be an essential condition in such transactions that the vendee shall cultivate the land himself and shall not employ or use share tenants in the use or enjoyment thereof.

- Any provision of Commonwealth Act No. 141, as amended, otherwise known as the Public Land Act, or any rule or regulation which is contrary to, or inconsistent herewith, is hereby amended or repealed as the case may be.

- This Decree shall take effect immediately.

Done in the City of Manila, this 13th day of March, in the year of Our Lord, nineteen hundred and seventy-three.

(Sgd.) FERDINAND E. MARCOS

President

Republic of the Philippines

By the President:

(Sgd.) ROBERTO V. REYES

Assistant Executive Secretary

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