

CONVEYING CERTAIN PARCELS OF LAND OF THE PUBLIC DOMAIN TO THE NATIONAL DEVELOPMENT COMPANY FOR PRIORITY PROJECTS, ESTABLISHING A SPECIAL PROCEDURE FOR MAKING AVAILABLE LANDS OF ...

PRESIDENTIAL DECREE NO. 1766, January 11, 1981

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WHEREAS, there are priority projects that need to be undertaken in order to accelerate national economic development;

WHEREAS, it is the declared policy of the State to promote overall economic development through assistance to commercial, industrial, agricultural, mining or other ventures, and for this purpose, it may, on its own or in joint venture with the private sector, undertake priority projects;

WHEREAS, the National Development Company is a major corporate vehicle of the Government empowered to engage or invest in commercial, industrial, agricultural, mining, and other enterprises in which the private sector is unwilling or unable to come in due to the high capital requirements or due to the great risks involved, but which enterprises are necessary or contributory to national economic development, or important to the public interest;

WHEREAS, the National Development Company is empowered by law to hold all kinds of land, even in excess of areas permitted private corporations, associations, and persons by the Constitution and by the laws of the Philippines;

WHEREAS, in order to ensure speedy implementation of the priority projects, it is necessary that lands of the public domain be readily made available to the National Development Company;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by the Constitution, do hereby decree and make part of the law of the land the following:

SECTION 1. The parcels of land of the public domain covered by Proclamation No. 1939 dated June 22, 1980, and Proclamation No. 2041 dated December 9, 1980 and all other lands covered by lease agreements between the Government of the Republic the Philippines and the National Development Company are hereby classified as alienable and disposable lands being more suitable for the priority projects of the National Development Company. These lands are hereby brought under the supervision and control of, and conveyed in full and absolute ownership, subject to private rights if any, to the National Development Company, The fair market value of said parcels of land shall be determined by a professional firm of appraisers designated by the Minister of Industry, and the fair market value so determined shall be recorded in the books of the National Development Company as part of the National Government's contribution to the equity capital of the National Development Company.

The parcels of land herein conveyed shall be registered by be proper Register of Deeds and corresponding certificated of title shall be issued in the name of the National Development Company. In the event that a survey is required for a particular parcel or parcels of land to establish motes and bounds for purposes of registration, the Bureau of Lands shall immediately undertake the necessary survey.

SEC. 2. Any provision of law to the contrary notwithstanding, the President may by executive proclamation declare and set aside any other tract or tracts of land of the public domain which shall be made available as a Government Reservation, subject to private rights, if any, for the use of the National Development Company for the purpose of undertaking, priority projects, including but not limited to plantation agriculture, industrial tree plantation, industrial tree plantations, industrial reservations and other priority projects as may be authorized by its Revised Charter or by special law.

A certified copy of every proclamation of the President issued under the provisions of this Decree shall be forwarded and recorded in the registers of the Bureau of Forest Development, the Bureau of Lands, the Bureau of Mines, the proper Register of Deeds, and any other appropriate government bureau, agency or office, within fifteen (15) days from the date of the proclamation.

SECTION 3. In the event that a survey of metes and bounds necessary, the same may be undertaken by the Bureau of Lands by any person or entity duly authorized by the Minister of Industry and confirmed by the Bureau of Lands within (15) days from submission of survey returns.

SECTION 4. Lands declared as Government reservations for use of the National Development Company for priority projects under the provisions of this Decree shall be recorded in the books of the National Development Company at their fair market value as determined by a professional firm of appraisers designated by the Minister of Industry. The value so established shall form part of the National Government's contribution to the equity capital of the National Development Company.

SECTION 5. The National Development Company shall develop and use, or cause to be developed and used, the lands made available under the provisions of this Decree for its priority projects. For this purpose, the National Development Company may enter into any contract, including but not limited to lease contracts, operating agreements, or growers' agreement, with any person or entity it shall consider competent in connection with the development and use of all or any portion of the lands herein made available.

SECTION 6. All laws, decrees, executive orders, proclamations, instructions, rules or regulations, or parts thereof which are inconsistent with the provisions of this Decree are hereby repealed and/or modified accordingly.

SECTION 7. This Decree shall take effect immediately.

Done in the City of Manila, this 11th day of January, in the year of Our Lord, nineteen hundred and eighty one.

(Sgd.) FERDINAND E. MARCOS
President of the Philippines

By the President:

(Sgd.) JOAQUIN T. VENUS, JR.
Deputy Presidential Executive Assistant

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