

## **WITHDRAWING THE AUTHORITY OF THE LAND REGISTRATION COMMISSION TO APPROVE ORIGINAL SURVEY PLANS, REPEALING FOR THIS PURPOSE, PARAGRAPH 3, SECTION 34-A, OF REPUBLIC ACT NO. 3844, ...**

*PRESIDENTIAL DECREE NO. 239, July 09, 1973*

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WHEREAS, under paragraph 3, Section 34-A, of Republic Act No. 3844, as inserted by Section 6 of Republic Act No. 6389, authority was given to the Land Registration Commission, concurrently with the Bureau of Lands, to approve survey plans of lands intended for original registration purposes;

WHEREAS, the reason for the grant of the aforesaid authority to the said Commission was to facilitate expropriation by the Government of big landed estates intended for distribution and resale at cost to tenant-farmers under the Agricultural Land Reform Code;

WHEREAS, under Presidential Decree No. 27 of October 21, 1972, there is no more necessity for the Government to expropriate big landed estates as the tenant tillers of rice and corn lands have already been declared as owners of the lands they till;

WHEREAS, the grant to the Land Registration Commission of the authority to approve original survey plans which theretofore had been exercised solely by the Bureau of Lands has resulted in wasteful overlapping or duplication of functions, not to mention the deterioration of surveying standards and confusion in land survey records; and

WHEREAS, there is a need for centralizing in one agency the function of verifying and approval of original surveying plans for all purposes in order to assure compliance with established standards and minimize irregularities in the execution of land surveys;

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 as follows:

SEC. 1. Paragraph 3, Section 34-A, of Republic Act No. 3844, as inserted by Section 6 of the Republic Act No. 6389, is hereby repealed insofar as it grants the Land Registration Commission the power to approved survey plans of lands intended for original registration purposes.

SEC. 2. The Land Registration Commissioner shall within thirty (30) days from the date hereof turn over all survey returns submitted to his Office to the Bureau of Lands for verification and appropriate action in accordance with Section 1858 of the Revised Administrative Code and the rules and regulations promulgated hereunder; and furnish the latter Office with copies of all plans that it had already approved as of the date of issuance of this Decree for verification and Appropriate action in accordance with law and regulations.

SEC. 3. If the land covered by any survey approved by the Land Registration purposes under Act 496 or under

Section 48 of Commonwealth Act No. 141, as amended, otherwise known as the Public Land Act, no decision shall be rendered thereon until the Director of Lands shall have submitted his report and recommendation thereon.

SEC. 4. Any law or regulation that is contrary to or inconsistent herewith is hereby repealed or amended accordingly.

SEC. 5. This Decree shall take effect immediately.

Done in the City of Manila, this 9th day of July, in the year of Our Lord, nineteen hundred and seventy-three.

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

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