

AMENDING CERTAIN PROVISIONS OF REPUBLIC ACT NO. 477 ENTITLED "AN ACT TO PROVIDE FOR THE ADMINISTRATION AND DISPOSITION OF PROPERTIES INCLUDING THE PROCEEDS AND INCOME THEREOF TR..."

PRESIDENTIAL DECREE NO. 967, July 24, 1976

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WHEREAS, Section 3 of Republic Act No. 477 provides, among others, that the lands which are to be subdivided and redistributed through the former National Abaca and Other Fibers Corporation in accordance with the said Act, shall be sold by the aforesaid Corporation following the order of preference specified therein, and that the subdivided lots which may still be unoccupied shall be disposed of by drawing lots among qualified persons who may apply for said lots;

WHEREAS, it has been observed that the provisions of Section 3 of the aforementioned Republic Act, should now be amended because with the dissolution of the National Abaca and Other Fibers Corporation, the administrative functions, duties and responsibilities of the said Corporation under Republic Act No. 477 have been transferred to the Board of Liquidators and the disposition by the Board of Liquidators of the subdivided lots which are unoccupied, under the provisions of Republic Act No. 477, has been seriously hampered by the requirement prescribed in the said section for the drawing of lots among qualified applicants, which procedure of land disposal has been found to be impractical, conducive to speculative schemes, and inconsistent with the present national policy, to hasten the redistribution of land for the benefit of the landless people in the country.

WHEREAS, it has also been observed that one of the problems encountered in the administration and disposition of lands under Section 3 of Republic Act No. 477 is the fact that there is no provisions in the said section, or anywhere in the aforesaid Republic Act which authorizes the disposition of lands and/or improvements thereon whose awards have been properly cancelled, which situation prevents the speedy redistribution of the lands and improvements mentioned and obstructs the attainment of the objectives of the law;

WHEREAS, Section 8 of the same Republic Act imposes certain restrictions on the lands acquired under the said Act, by providing that such lands or any permanent improvements thereon shall not be subject to encumbrance of alienation from the date of the award of the land or the improvements thereon, and for a period of ten (10) years from the date of the issuance of the certificate of title, which restrictions on the right to alienate or encumber the lands and permanent improvements acquired under the Act have worked to the disadvantage of the people who are intended to be benefitted by the same law by depriving them of the full enjoyment and utilization of such property and are manifestly no longer justified by the present circumstances.

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Republic of the Philippines, by virtue of the powers vested in me by the Constitution, do hereby order and decree as follows:

SECTION 1. Section 3 of Republic Act No. 477 is hereby amended to read as follows:

"SEC. 3.—All lands so subdivided, except commercial and industrial lots, shall be sold by the Board of Liquidators without the sales application, publication and public auction required in sections twenty-four,

twenty-five, and twenty-six of Commonwealth Act Numbered One Hundred Forty-One as amended, to persons who are qualified to acquire public agricultural lands; Provided, however, that sales of such lands heretofore made by the National Abaca and Other Fibers Corporation, without sales application, publication and public auction as provided in the above-mentioned sections of the Public Lands Law are hereby authorized, ratified and confirmed; Provided, further, that preference shall be given first to bonafide occupants thereof on or before December twelve, nineteen hundred and forty-six but not later than October thirty-one, nineteen hundred and sixty and who shall be limited to the area they have actually and continuously improved and maintained; Provided finally, that the subdivided lots which may still be unoccupied and/or where the awards thereof; were cancelled and nullified shall be disposed of through negotiated sale among qualified persons who may apply for said lots."

SEC. 2. Section 8 of Republic Act No. 477 is hereby amended to read as follows:

"SEC. 8. Any provision of law, executive order, rules or regulations to the contrary notwithstanding, an applicant who has acquired land pursuant to the provisions of this Act and to whom a certificate of title has been issued covering such land may sell, cede, transfer, or convey his rights and interests therein, including the permanent improvements on the land, to any interested party."

SEC. 3. Laws, orders, rules or regulations which are inconsistent with the provisions and purposes of this Decree are hereby repealed or modified as the case maybe.

SEC. 4. This Decree shall take effect immediately. Done in the City of Manila this 24th day of July in the year of Our Lord, nineteen hundred and seventy-six.

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

By the President:

(Sgd.) J. C. TUVERA
Presidential Assistant.

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