



DENR

# The Role of Government in Land Administration and Management in the Philippines

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# OUTLINE

1. Mandate and Policies on Land Administration and Management (LAM)
2. Components of Philippine Land Administration and Management (LAM)
  - Land Classification
  - Land Survey and Mapping
  - Land Disposition





- Land Adjudication
- Land Registration
- Land Use
- Land Conversion
- Land Valuation
- Land Taxation





### 3. Role of the different branches of government on LAM

- Legislative
- Judiciary
- Executive

(i) National Government

(ii) Local Government





4. Reforms and Innovations to improve role of LGUs on LAM
5. Some Lessons and Challenges
6. Challenges on Land Governance and Climate Change
7. Way Forward





# **Mandate and Policies on Land Administration and Management (LAM)**

- Department of Environment and Natural Resources

Ensure the sustainable use, development, management and conservation of the country's land resource





- President Rodrigo Duterte’s  
“Security of land tenure to  
encourage investments, and  
address bottlenecks in land  
management and titling agencies”

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P O I N T  
E C O N O M I C  
A G E N D A :





- **Regalian Doctrine** in the 1987 Constitution:

Article 12 National Economy and Patrimony.  
Section 2. “All lands of the public domain, waters, minerals, coal, petroleum, and other mineral oils, all forces of potential energy, fisheries, forests or timber, wildlife, flora and fauna, and other natural resources are owned by the State.”







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# **Components of Philippine Land Administration and Management (LAM)**



- **Land Classification:** Forest or Timber, Agricultural, Mineral lands and National parks
- **Land Surveys and Mapping:** Different types of land surveys are conducted for different purposes:
  - Cadastral surveys
  - Parcellary surveys
  - Political boundary surveys





- Delineation of ancestral lands
- Forest boundary delineation
- Determination of limits of Natural park
- Topographic Survey





- **Land Disposition:** Types of titles issued
  - Original Certificates of Title for patents
  - Certificates of Land Ownership Award for Agrarian Reform Beneficiaries
  - Certificates of Ancestral Domain Title for ancestral lands
  - Transfer Certificates of Title for subsequent transactions





- **Land Adjudication:** Conflicting claims between or among different interested parties are resolved administratively within the agency adjudicating the land or through the regular courts
- **Land Registration:** Titles and deeds are both registered in registries across the country





- **Land Use:** Local Government Units regulate land use through comprehensive land use plans and Zoning ordinances
- **Land Use Conversion:** Change in use from agricultural to non-agricultural





- **Land Valuation:** Assignment of values to lands as bases for local taxation, fair market valuation, national government taxation and other transactions
- **Land Taxation:** Taxes are levied for the possession, use, exchange, transfer, sale, donation and inheritance of land.



# Role of the different branches of government on LAM

**a.** Legislative

**b.** Judiciary

**c.** Executive

- National Government
- Local Government







# Land Laws implemented through:

- ❑ Department of Environment and Natural Resources
- ❑ Land Registration Authority of Department of Justice
- ❑ Department of Agrarian Reform



- ☑ Department of Agriculture
- ☑ National Commission on Indigenous Peoples
- ☑ Local Government Units and
- ☑ the Courts



# Key Players in Land Administration and Management (LAM)

DENR – cadastral surveys, **approval of subdivision plans, issuance of first time titles through administrative process**, management of public domain, processing of Proclamations

DoF/BLGF – issues valuation standards, monitors LGU tax collections, supervises Treasurers

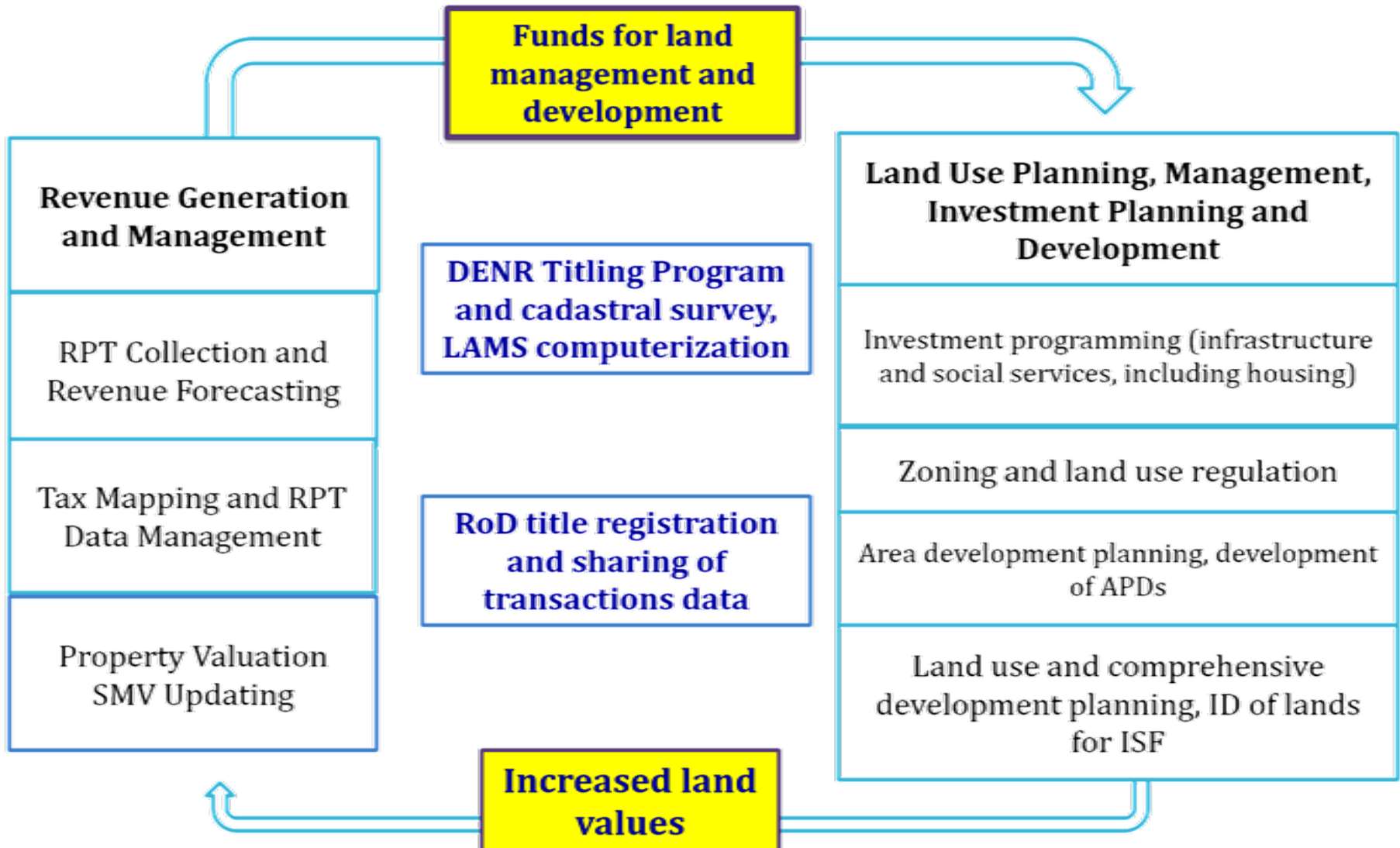


LRA/RoD – registration of titled properties and transactions on these, **approval of subdivision plans, issuance of judicial titles;** reconstitute titles

LGUs – property valuation and tax mapping, collection of RPTs, CLUP preparation, investments in land management and development, land parcel inventory



# LGU Responsibilities on LAM





# Reforms and Innovations to improve role of LGUs

- **Creation of LGU Titling Units-** LGUs create their own titling unit to augment national government personnel to facilitate and bring land services closer to the LGU and its constituents





- **Creation of One-stop-shops:** co-locating different land related offices into a single office to facilitate transactions requiring multiple agencies and LGU departments actions
- **Revenue system-** computerized and linked the frontline financial services of the LGU Assessors and Treasurer's Office



- **LGU geographic information systems (GIS)**- harmonize and link the databases of the different LGU departments such as planning, treasury, assessment and engineering to get a holistic picture of land use
- **Unmanned Aerial Vehicles (UAV) or drones**- are being used for planning, reconnaissance and surveys





# Reforms and Innovations on LAM

Adoption of the Systematic Adjudication (SA) Approach in Land Titling in Partnership with the Local Government Units (LGUs) through **DENR Administrative Order No. 2007 – 09**



## ❑ **Benefits**

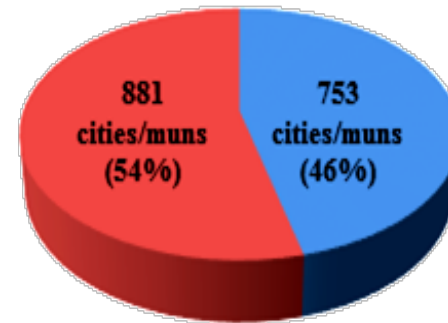
- ✓ Secure the property rights of land owners;
- ✓ Spur entrepreneurial activity in the country as it is expected to facilitate the buying and selling of lands; and
- ✓ Open the doors for title holders to credit facilities of banks and other financial institutions using their land titles as collateral for loans



# Completed the Nationwide Cadastral Survey (Political Boundary) Program last June 2015



## CITIES/MUNS CADASTRALLY SURVEYED BEFORE AND DURING THE PINOY ADMINISTRATION



- 753 cities/muns cadastrally surveyed before the Aquino Administration
- 881 cities/muns cadastrally surveyed during the Aquino Administration





- ✓ Provide a comprehensive and accurate data on land resources of the country;
- ✓ Facilitate land disposition;
- ✓ Accelerate the settlement of claims and adjudication of land cases and conflicts;



- ✓ Delineate the boundaries of all political subdivisions of the country as basis of accurate Internal Revenue Allotment (IRA);
- ✓ Provide economic data for land-based development studies of the country; and
- ✓ Provide map-based data for zoning and land use programming



# Reforms and Innovations

- **Land Titling Computerization Program (LTCP)**- conversion of paper based titles and records into digital format and linking the more than a hundred registries for quick access and smooth transactions



# Computerization of DENR land records

State of Land Records (Inventory, Sorting and Grooming Activity)

**BEFORE**



**AFTER**



- Adoption of the Land Administration and Management System (LAMS) Philippines through **DENR Administrative Order (DAO) No. 2010-18** in all DENR Regional and Field Offices

Issues policies related to the implementation of LAMS such as DAO No. 2016-01 or the Adoption of the Digital Land Survey Data (DLSD) and DMC No. 2016-06 or the Adoption of LAMS IVAS







- **Land Administration and Management System (LAMS)** – the digitization and encoding of maps, plans and records of the DENR
  - ✓ Ensures integrity and access to land information; and
  - ✓ Ensures quick processing of land transactions and updating of land records as well as tracking of applications undergoing processing





# LAMS PHILIPPINES

## Features:

- LAMS Inspection, Verification and Approval of Surveys (IVAS)
- Public Land Application (PLA)
- E-Survey Plan
- Client Transaction Monitoring System
  - Client Short Messaging Service System (SMS)
  - Transaction Tracking System
  - LAMS Kiosk







# E-survey Plan

LAMS eSurveyPlan v1.10 [beta release]. Licensed to SAN BUENAVENTURA, AVELINO L. - [C:\Users\User\Desktop\Region4a\MERIDIANPLACE-FILINVEST-block.xml]

File Transaction Tools Help

ResultantLot

- B1 L1
- B1 L2
- B1 L3
- B1 L4
- B1 L5
- B1 L6
- B1 L7
- B1 L8
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- B2 L1
- B2 L2
- B2 L3
- B2 L4

complex surveys created from GeSurvey or other CAD programs may be viewed and edited using the eSurveyPlan

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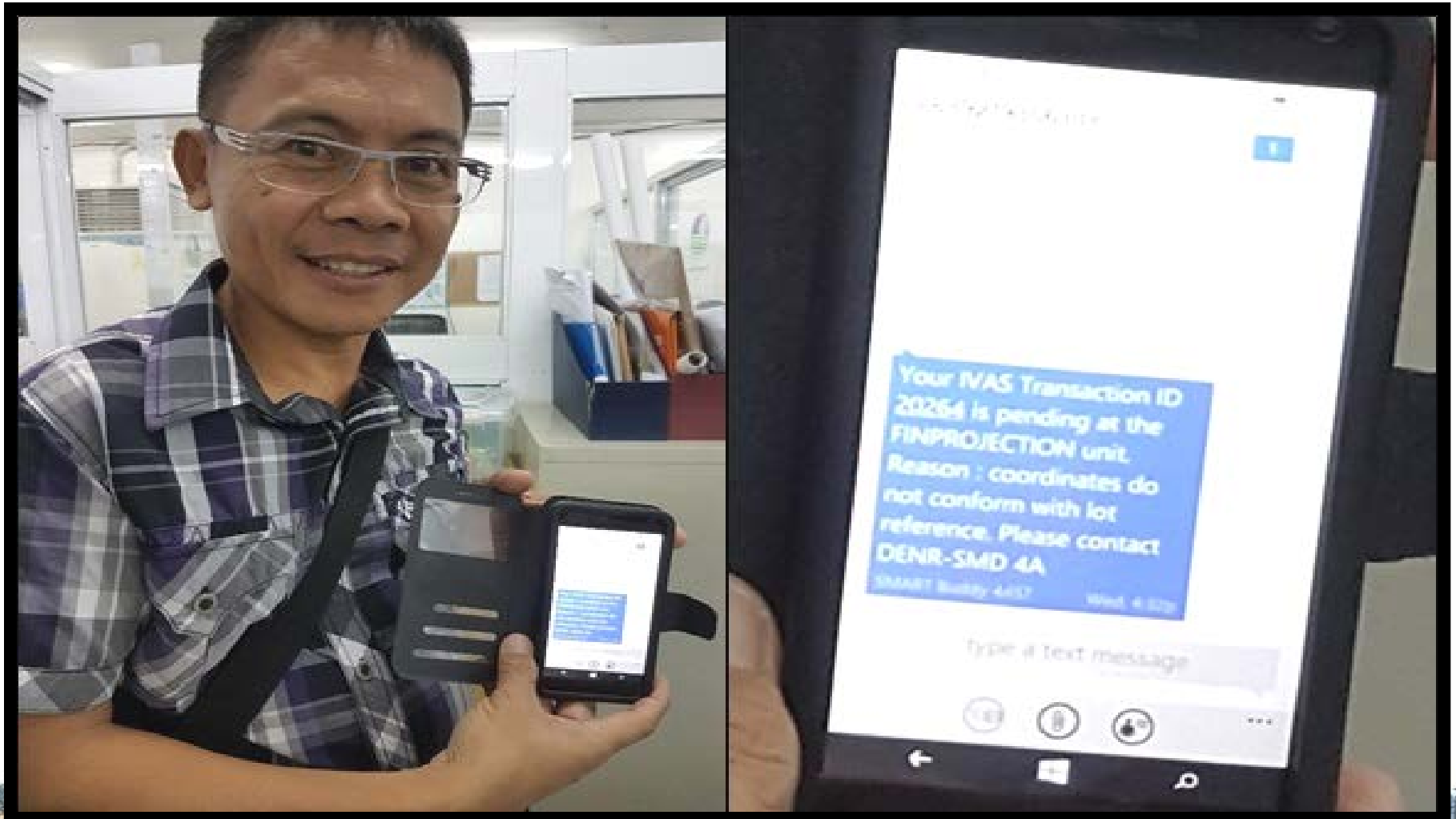
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Resultant Lot  Mother Lot  Boundary  Block  Traverse  Draft  Road  Label

## Short Messaging Service (SMS) System of LAMS Philippines



- ❑ DAO No. 2016-30 was issued on 22 December 2016 of the Guidelines in the Conduct of Alternative Dispute Resolution (ADR) in Land Mangement and Disposition

### Features:

- Standard procedure in resolving claims and conflicts through ADR





- Creation of an ADR Committee composed of the Executive Officers of the DENR
- Accreditation and designation of possible ADR Officers





- ❑ DAO No. 2016-31 was issued on 29 December 2016 or the Procedure in the Investigation and Resolution on Land Claims and Conflicts Cases

### Features:

- Provision regarding prohibited pleadings
- Parties may avail themselves of ADR in all stages of proceedings







- Requirement of geo-spatial tags of the subject lot during ocular inspection and included in the report
- Case records are digitally recorded through LAMS





# Some Lessons and Challenges

- Land administration is a national agency mandate that has not been decentralized.
  - DENR-LGU partnership arrangements provides complementation of activities





- Land Use is determined by the LGU but must be acceptable to the national government agencies
  - Agencies provide training and support in the LGUs preparation of land use plans.



- LGU land data is not harmonized with DENR and LRA records
  - Data sharing agreements at the local level is encouraged
  - Development of a unified base map
- Active participation of LGUs in political boundary resolution, land survey and titling has shown to be most beneficial in the long run on their revenue generation and land development planning.



- A more aggressive advocacy (social media, avp, forums) should be adopted at the legislative, institutional and public level in pursuing LAM reforms.
- Given the Archipelagic set up of the Philippines, integrated access to land information and LAM services through data standardization with strong IT support is the right direction.



# The Bayawan City experience

- Partnership between the DENR and the LGU created a land titling team and land titling office that became the catalyst in the LGU adopting Land Administration into its regular plans and programs
- Joint resources of the LGU and the DENR resulted in bringing land services closer to the people





- Systematic adjudication resulted in titles being issued in numbers that are impossible to reach without LGU intervention





# Cordova, Cebu

- The creation of the LGU Land Management council of stakeholders provided the policy guidance for the LGU and the DENR to create an LGU based titling program.
- The Cordova titling team was able to title all untitled parcels of land within their jurisdiction.





# Challenges on Land Governance and Climate Change

- Sustainable Land Administration Systems should serve as a basis for climate change adaptation and mitigation.
- Natural disasters resulting from climate change can be enhanced through building and maintenance of appropriate LAMS.





- Adaptation to climate change through building sustainable and spatially enabled land administrations systems.
- Systems should identify all areas subject to sea level rise, drought as well as measures and regulations to prevent the impact of climate change.





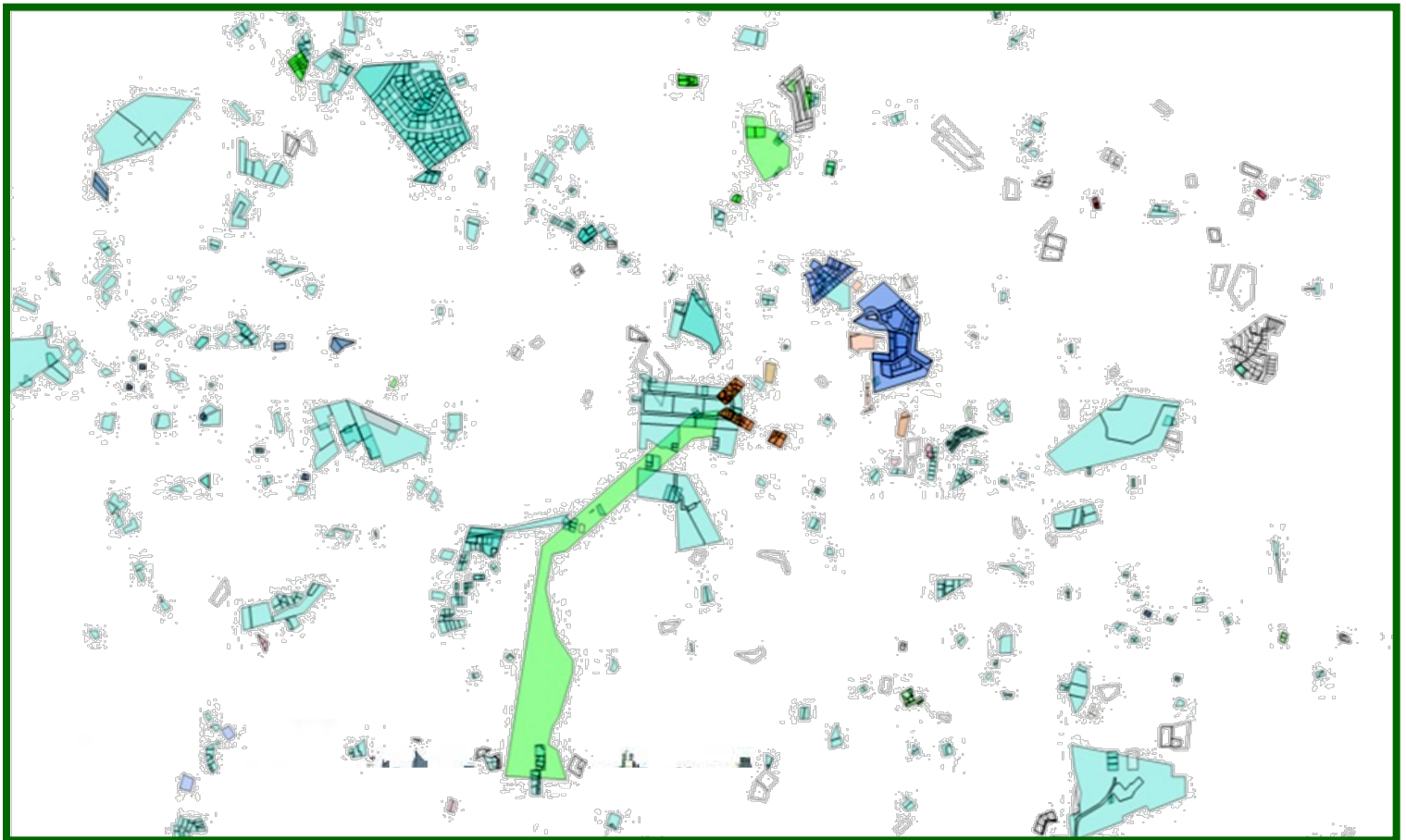
- National agencies prepare plans and hazard maps to identify areas vulnerable to climate change and disasters.
- Local government units incorporate climate change mitigation and disaster risk reduction into their comprehensive land use plans.





# Way Forward

1. Upgrading of the Current Cadastral Framework to 3D Cadastre



*Sample image of the Result of Data Conversion work done in DENR-CAR*

2. Completion of the computerization of all land records which will facilitate the full implementation and operationalization of online land transactions and the National Spatial Data Infrastructure (NSDI).
  
3. Adoption of a single unified base map



4. Updating of LSDF and its harmonization with the Voluntary Guidelines on Governance of Tenure (VGGT).

Land Sector Development Framework (LSDF) – a 25-year plan for the key thematic areas of Public Land Management, Land Administration, Land Information and Management, Valuation and Taxation and Capacity Building





5. Pursue approval of Proposed Legislations on Land Sector Reforms (LARA, National Land Use Act, Valuation Reform Act).
6. Adoption of a Sustainable Land Management Regime that takes into consideration the impacts of climate change.





7. Development of a policy on the management of state-held assets with consideration to economic development opportunities and sustainability
  
8. Progressive capacitation of LGUs in land management





9. Adoption of new technologies for surveying, disposition, adjudication, registration and records keeping
10. Constant advocacy for the institutionalization of new implementation arrangements, and reform processes and procedures





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**THANK YOU FOR  
LISTENING...**

