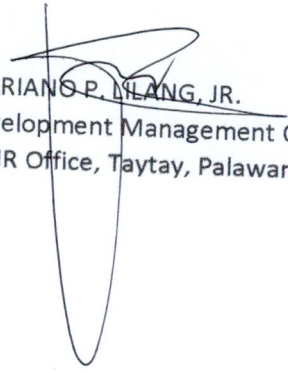


Comments on the draft IRR on RA 11573

By Development Management Officer IV Mariano P. Lilang, Jr. in CENRO Taytay, Palawan

1. Section 7 – If the area is exactly five (5.0000) hectares, the signing authority is the Regional Executive Director. It is different from the former authority where the PENRO is authorized up to five (5.0000) hectares.
2. Section 7 – There is no signing authority on lots covering above ten (10) hectares up to less than eleven (11) hectares.
3. Section 8 – What makes the processing time of Free Patent Applications in the CENR Office covering less than five hectares longer than the processing for five hectares up to ten (10) hectares and then again longer than the processing for more than ten (10) hectares?
4. Section 8.1 – The preliminary assessment of the application can only be made when the it is officially marked received at the receiving desk, otherwise, the Assessment Officer cannot officially (written) notify the applicant of the deficiency. The one hundred twenty (120) day period should commence on the completion of the requirements submitted. This also has bearing on the submission of Joint Affidavit of Disinterested Parties as a requirement. The old prescribed Joint Affidavit Form which contains an information of Free Patent Application Number is meant to be complied after the filing of the application and not as a simultaneous attachment to the application. This is more an issue when the application is made under oath before a Notary Public and sends it to the Office via courier or postal service.
5. Section 8.2 – The applicant has no more burden to execute affidavit attesting to the posting of the Notice of Application for Free Patent and the burden is passed to the CENR Officer or the Implementing PENR Officer.
6. Section 8.4 – The preparation of patent in Judicial Form should be after that the Order of Approval of Application and Issuance of Patent is signed.
7. Section 11 – The removal of restriction under Section 121 of the Public Land Act is unconstitutional with reference to Section 7 of Article XII of the 1987 Constitution.
- 8.

Note: The draft IRR was accessed by the undersigned only today (September 15, 2021)

Comments of:  MARIANO P. LILANG, JR.
Development Management Officer IV
CENR Office, Taytay, Palawan