



## MEMORANDUM

FOR : **All Regional Executive Directors**  
except CAR, 10, and, CARAGA

FROM : The Director

SUBJECT : **LIST OF EXPIRED FORESHORE LEASE CONTRACTS/  
MISCELLANEOUS LEASE CONTRACTS FOR PORT FACILITIES**

DATE : **14 MAR 2022**

This refers to the initial virtual meeting held last February 11, 2022 of the Technical Committee which was created through DENR Special Order No. 2021-05, dated October 5, 2021, relative to the turnover of private ports with expired Foreshore Lease Contracts to the DENR. The said meeting was presided by the undersigned and attended by Atty. Norlito A. Eneran, Director, Legal Affairs Service (LAS), Atty. Camilo D. Garcia, Chief, Legal Research and Opinion Division, LAS, Atty. Ban Mikhael C. Pacuribot, Chief, Legal Division, DENR-Region X, Mr. Alex C. Pascua, OIC-Chief, Land Management Division, LMB, and representatives from the Legal and Land Management Divisions, this Office.

As discussed during the said meeting, there was an apparent ambiguity between Section 30 of PD 857 and Section 64(e) of C.A. 141, as to who will have the right over the improvements constructed on the ports declared as Port Districts. It was also agreed that the Philippine Ports Authority (PPA) is willing to turnover the ports to the jurisdiction of DENR but there should be a document evidencing the same. Further discussed is the possible drafting of Joint Guidelines with PPA for the proper management of private ports with expired foreshore lease contracts. Hence, it was agreed that it is necessary first to reconcile our data before we could proceed with the discussion/meeting with PPA.

In line with this, may we request your Office to submit on or before **March 31, 2022**, a list of expired Foreshore Lease Contracts/Miscellaneous Lease Contracts (FLA/MLA) or any pertinent data showing the number of foreshore leases within your jurisdiction, which are being utilized as port including the status of the same. The said data shall be used as a cross-reference of the data of PPA.

For your appropriate action, please.

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ATTY. EMELYNE V. TALABIS, CESO IV  
*RR* *hp*

