



Republic of the Philippines
Department of Environment and Natural Resources
LAND MANAGEMENT BUREAU

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DENR MIMAROPA
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BY: _____ DATE NO. _____
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MEMORANDUM

FOR : The Regional Executive Director
DENR MIMAROPA
1515 DENR by the Bay Building
Roxas Boulevard, Brgy. 668
Ermita, Manila

ATTN : The PENR Officer
Palawan

FROM : The Director

SUBJECT : **CLARIFICATIONS ON THE PROCEDURES UNDER DENR MEMORANDUM CIRCULAR NO. 2019-10 OR THE SUPPLEMENTAL PROCEDURES ON THE ISSUANCE, PROCESSING, AND APPROVAL OF SURVEY AUTHORITY, SURVEY PLANS, AND PUBLIC LAND APPLICATIONS COVERING LOTS IN THE PROVINCES OF SARANGANI, SOUTH COTABATO, AND PALAWAN**

DATE : 25 MAY 2023

This refers to the findings and observations made on the compliance of your office in relation to the implementation of DENR Memorandum Circular No. 2019-10¹ and LMB Technical Bulletin No. 2020-001².

In order to have common interpretation of the provisions of the existing policies, below are some clarifications for your guidance, to wit:

1. *On the requirement of Sworn Affidavit of Disinterested Persons:*

For Agricultural Free Patent	Use the Annex A (Application Form) prescribed in DAO No. 2021-38 wherein the affidavit of two disinterested persons is already part of the form. No need to use the affidavit as prescribed under DMC No. 2019-10.
For Other Public Land Applications	Use the Sworn affidavits of ONLY two (2) disinterested persons

2. *On the requirement of Notarized Barangay Certification:*

The purpose of the notarization of a document is to make it a public document. However, upon further review of this office and according to Rule 132 Section 19a of the Rules of Court, written official acts or records of the sovereign authority, official bodies and tribunals, and public officers, whether of the Philippines or of a foreign country, are already considered as public documents. Hence, the notarization is no longer required. Unnotarized barangay certification shall be accepted.

¹ Supplemental Procedures on the Issuance, Processing, and Approval of Survey Plans, and Public Land Applications Covering Lots in the Provinces of Sarangani, South Cotabato, and Palawan

² Amendment to the Annexes Prescribed under DENR Memorandum Circular No. 2019-10

SCANNED

3. *On the processing time of the applications under DMC 2019-10:*

The time prescribed in the processing of Agricultural and Residential Free Patent applications was not fully elaborated in Section 4.4 (Processing and Approval of Public Land Applications) of the DMC 2019-10 particularly in securing clearance by the CENRO over the land classification of the public land application from the ARD for Technical Services in the Regional Office.

Hence, most of the applications may not meet the prescribed duration eventually affecting the ARTA and SPICS compliance. To address this concern, the time for securing clearance shall be deducted to the total processing time.

4. *On the Notice of Posting of Application in the Barangay:*

For Agricultural Free Patent	The posting of notice shall be in accordance with Section 9.2.2 of DAO No. 2021-38. No certification shall be secured from the concerned barangay but a geotagged photograph of the posting shall be included in the Investigation Report prescribed as Annex E in LMC No. 2022-002 ³ .
Other Public Land Applications	The existing process in the posting of application in the Barangay will be implemented, while waiting for the approval of the proposed revision of the DAO on Residential Free Patent.

5. *On the certification of DENR records as required in the processing of public land applications:*

Applicants shall not be required to secure certified copy of DENR records and shall not be charged of any fees that are inconsistent under existing guidelines and policies.

Please be reminded that your respective Citizen’s Charter should be updated to reflect the supplemental guidelines under the DMC No. 2019-10 and the approving authority under the revised Manual of Authorities on Technical Matters and other latest issuances.

For your information and strict implementation.


ATTY. EMELYNE V. TALABIS, CESO IV

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³ Supplemental Guidelines in the Processing of Applications for Agricultural Free Patent under DAO No. 2021-38