



FEB 03 2021

JOINT DENR AND LRA MEMORANDUM CIRCULAR
No. 01 Series of 2021

TO: ALL CONCERNED PERSONNEL OF THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES AND ITS REGIONAL OFFICES, PENROs, CENROs, LAND MANAGEMENT BUREAU, AND THE LAND REGISTRATION AUTHORITY AND ITS REGISTERS OF DEEDS

SUBJECT: PRESCRIBING THE FULL SYSTEMS LINKAGE AND LAND DATA EXCHANGE BETWEEN THE DENR AND THE LAND REGISTRATION AUTHORITY IN RELATION TO DENR-APPROVED PLANS AND DENR-ISSUED PATENTS SUBMITTED FOR REGISTRATION IN THE REGISTERS OF DEEDS

I. PREFATORY STATEMENT

The Department of Environment and Natural Resources (the "DENR") is the primary agency responsible for the conservation, management, development, and proper use of the country's environment and natural resources, specifically forest and grazing lands, mineral resources, including those in reservation and watershed areas, and lands of the public domain, as well as the licensing and regulation of all natural resources as may be provided for by law.

The Lands Management Bureau (the "DENR-LMB") is the policy-making arm of DENR responsible for the efficient and effective administration, surveys, management and disposition of alienable and disposable lands of the public domain and other lands outside the responsibilities of other government agencies, and shall have direct control of the survey, classification, lease, sale, or any other forms of concessions or disposition and management of the lands of the public domain.

The DENR is implementing the Land Administration Management System ("LAMS"), which is designed to provide effective management of land records and efficient delivery of land transactions and information services to the public, and is used by the different offices of the DENR to process and approve transactions covering the Issuance of Patents (the "DENR-issued Patents") and the Approval of Original, Subdivision/Consolidation Plans (the "DENR-approved Plans").

The Land Registration Authority (the "LRA") is a government agency under the Department of Justice mandated by law to preserve the integrity of the land registration process, protect the sanctity of the Torrens System, and act as the central repository of records relative to original registration of lands titled under the Torrens System, including subdivision and consolidation plans of titled lands and,

through its Registries of Deeds (the "RoD" or "RDs" or "Registries") nationwide, be the repository of records of instruments affecting registered and unregistered lands.

The LRA is now implementing the Land Titling Computerization Project (the "LTCP") which involves, among others, the supply of IT products and services, training of end-users, conversion of titles and documents from physical to digital format, nationwide network interconnection, rehabilitation and construction of IT-enabled government offices, and the development of customized application systems (the "PHILARIS"), which are used in the Registries to register deeds and instruments, including the DENR-issued Patents and DENR-approved Plans, and issue titles resulting from the processing thereof.

On October 2, 2018, the DENR-LMB and LRA entered into a Memorandum of Understanding (the "MOU") to identify, and recommend solutions to the issues besetting land titling and registration, and a Technical Working Group was created which reviewed and studied possible system linkages and process improvements between the Agencies.

One of the recommendations arising from the MOU is for the DENR-LMB and LRA to ensure compatibility of the LAMS and the PHILARIS, with respect to the registration of DENR-approved Plans and DENR-issued Patents, with the objective of faster and more secure issuance of titles as a result of such registration.

This Joint Memorandum Circular is being issued to prescribe rules and procedures as to the processing of survey plans and patents by DENR-LMB and their registration by the LRA/RODs.

II. OBJECTIVE AND OVER-ALL SOLUTION CONCEPT

The objective of this JMC is to make the processing of the registration of DENR-approved Plans and DENR-issued Patents more efficient and secure, and for both agencies to adopt standards and operating procedures that shall help ensure ease of doing business in the Philippines, with respect to the registration of real properties.

The DENR conducts and approves original and isolated subdivision surveys, as mandated by law, in accordance with the Manual on Land Surveys Regulations in the Philippines, as amended. These surveys are requisites for the issuance of titles both in administrative and judicial proceedings. One of the requirements in the verification and approval of survey plans, as well as in the processing and issuance of patents by the DENR, is a lot status certification from the LRA to determine whether the subject parcel is covered by title or with an on-going land registration case, which is secured manually by the applicant. This is necessary to avoid conflict, overlaps on surveys as well as the double issuance of title. Thereafter, DENR-approved subdivision surveys are used and manually transmitted to the

Registry of Deeds by the client/public for registration and issuance of subsequent titles. Similarly, DENR-issued patents are also manually transmitted to the Registry of Deeds by the Provincial Environment and Natural Resources Offices ("PENRO") and Community Environment and Natural Resources Offices ("CENRO") for registration.

The LRA, through its RoDs, registers DENR-approved subdivision and/ or consolidation/ subdivision plans (collectively, the "DENR-approved Plans") and issues the corresponding Certificate/s of Title for such plans. It also registers the different Patents issued by the DENR (the "DENR-issued Patents") using the judicial form as the sole basis for the RoD's registration and printing of the corresponding Patent Title bringing the same under the operations of the Torrens System after the registration process.

It is envisioned that the objectives shall be achieved through the implementation and operationalization of a System Linkage between the LRA and the DENR-LMB Computerized Systems (the "Linkage"), considering data compatibility and data sharing, the use of a common parcel identifier (the "CPI"), as well as the adoption of common mapping standards and projection system by the LRA and the DENR-LMB.

III. COVERED TRANSACTIONS

The following transactions are covered by this Joint Memorandum Circular:

A. DENR-LMB Transactions

1. Processing and approval of transactions covering the Issuance of Patents (the "DENR-issued Patents");
2. Approval of Original, Subdivision/Consolidation Plans (the "DENR-approved Plans"); and,
3. Processing and Issuance of Certified True Copy and Certifications.

B. LRA Transactions

1. Registration of DENR-issued Patents;
2. Registration and Issuance of Titles in relation to DENR-approved Plans; and,
3. Processing and Issuance of Certified True Copy and Certifications.

IV. GENERAL PRINCIPLES AND PROCEDURES

A. Development of Application Programming Interface for System Linkage

The PHILARIS of LRA and LAMS Philippines of DENR shall be connected using the developed Application Programming Interface ("API")/web service in a secured network. The API/web service allows the two different systems to interact/communicate with each other without physically accessing and manipulating the databases servers, and compromising the data security of each agency. Likewise, the API/web service shall be utilized for the querying and fetching of data required by the said systems.

In relation to the processes and transactions covered by this JMC, the DENR and LRA shall ensure the use of a single Parcel Identifier, which shall consist of:

1. Plan, Block and Lot Number; and,
2. Location.

This CPI shall always be provided in the various Systems and documentary output of the DENR and the LRA.

B. Data Exchange through the System Linkage

1. Approval and Registration of Survey Plans Submitted at the DENR Regional Offices

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- a. As a requirement in the processing and approval of survey plans submitted at the DENR Regional Offices by the client GE, through the system linkage, the LRA shall provide data and information on the i) Title number of the titled subdivision lot/s, ii) Title Status (i.e., Active, Cancelled or Partially Cancelled), and iii) Image of any LRA-approved Plan covering the subject property, as may be agreed upon in the technical and detailed procedures to be issued by the Agencies as provided in Section X item A of this JMC, and using the CPI as the primary and unique reference number. These shall serve as the basis of the DENR in verifying the status of the transacted lot, and if there are LRA-approved Plans covering the subject property.
 - b. In the registration of DENR approved survey plans, the client GE/public submits the physical copy of the plans and other supporting documents to the LRA. Upon request of the client, the concerned RoDs shall secure from the DENR, through the system linkage, the corresponding eTDs of the Plan using the Survey Plan Number as the primary and unique reference number, and other files and documents as may be agreed upon in the technical and detailed procedures to be issued by the Agencies as provided in Section X item A of this JMC. The LRA shall no longer examine the narrative Technical Description ("TD") and the encoded Technical Descriptions ("eTD") shall serve as the functional equivalent of the narrative TDs and shall be the sole basis for the RoD's issuance of the corresponding Transfer Certificates of Title ("TCT"), insofar as its technical description is concerned;
 - c. After registration by the concerned RoD exercising jurisdiction on the subject property/ies, the LRA shall confirm through the system linkage that the DENR-approved Plan was successfully registered and provide DENR the Title Number/s of the issued Title/s covering the lot parcel/s
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of the approved plan.

2. Approval and Registration of Public Land Applications ("PLA") submitted at the DENR Field Offices
 - a. The DENR shall check through the system linkage whether the subject property has not been previously titled or is not undergoing titling through the judicial process of land registration.
 - b. The DENR shall provide LRA with the eTD of the subject lot parcel and other necessary digital records of the subject lot, and other files and documents as may be agreed upon in the technical and detailed procedures to be issued by the Agencies as provided in Section X item A of this JMC, for the purpose of securing the following required data/information: i) certification of lot status with findings, ii) title number of registered lot overlapping the subject parcel, iii) plan, block and lot number of the registered lot parcel/s overlapping the subject parcel, and iv) scanned image of the LRA Approved Plan, if available.
 - c. After the patent's approval, DENR shall provide LRA the Patentee Information, and other relevant information corresponding to the Approved Patent using the Patent Number as the primary and unique reference number.
 - d. After registration at the RoD, LRA shall provide DENR the i) resulting title number of the approved patent ii) Date of registration iii) Survey Plan, Block and Lot number, and iv) release date from the system to update the land records of DENR.

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V. RESPONSIBILITIES OF THE AGENCIES

The responsibilities of DENR and LRA shall be as follows:

A. Mutual Responsibilities

1. DENR and LRA shall each be responsible for their respective IT Infrastructure, Systems and secured network connection required to support the Linkage, including all necessary modifications, enhancements and fixes that may be required to be implemented from time to time.
2. DENR and LRA shall ensure the security of the Linkage process, and that all Systems and Data Records sent via the Linkage may be relied on for its further action.
3. DENR and LRA shall ensure the continuing compliance of its Processes, Systems and Data Records with respect to the integration formats designs specifications, standards, guidelines and procedures to be provided by the IWG. Likewise, both agencies shall work in providing functional and technical requirements, resolving incidents, and conducting compatibility testing.
4. DENR and LRA shall make the necessary correction with regard to any

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discrepancies on Plans/Patents, as may be advised and agreed by the issuing Agency.

5. DENR and LRA shall designate a Point-of-Contact so as to ensure smooth operations of the Linkage and immediate incident resolution, and advise the other Agency of the identity and contract details of the POC.
6. DENR and LRA shall appoint Members of the Management Coordinating Committee (the "MCC") and the Integration Working Group (the "IWG"), which shall be set-up immediately after the approval of this JMC.
7. DENR and LRA shall be responsible for the issuance of Memoranda and Circulars to its various officers and personnel to ensure compliance with the provisions of this JMC, and ensure the continuing compatibility of DENR and LRA Processes, Systems and Data Records. Copies of all Memoranda and Circulars relating to the implementation of this JMC shall be immediately provided by the issuing Agency to the other.

B. Individual Responsibilities

1. DENR Responsibilities

- a. In relation to the Covered Transactions under this JMC, the DENR and its Offices shall process and approve Plans or issue Patents based on the inputs provided by the LRA.

2. LRA Responsibilities

- a. The LRA, through its LTCP, shall develop and provide a Portal that shall be used by the DENR to encode the Patent Information needed for the registration of the Electronic Patent ("e-Patent") and conduct User Training to the personnel of the DENR for the use of such Portal.

VI. MANAGEMENT ARRANGEMENTS

- A. In order to secure a successful implementation of this Joint Memorandum Circular, a Management Coordinating Committee and Integration Working Group shall be established. The MCC shall be jointly headed by the LRA Administrator and DENR-LMB Director, while the IWG shall be composed of sixteen (16) members, with the DENR and LRA having eight (8) members each.

- B. The MCC shall be responsible for the following tasks:

1. Provide guidance and direction to the Integration Working Group to ensure delivery of project outputs and achievement of project outcomes;
2. Monitor progress of work using agreed-upon metrics and ensure coordination and efficiency among the members of the Integration Working Group; and,

3. Establish and actively participate in planned, periodic reviews of the overall performance, which shall include recommendation of the necessary corrective and preventive action to ensure continuous operation of the linked systems.
4. Conduct reviews on the process on a quarterly basis, and shall recommend necessary modification on the system linkage to ensure its efficiency and continuous operation.

C. Likewise, the IWG shall be responsible for the following tasks:

1. Determine the specifications, procedures, and requirements of the existing system of both agencies to be enhanced or developed, as may be necessary;
2. Conduct User Acceptance Testing;
3. Recommend Go-Live of the System;
4. Coordinate and ensure that required issuances to support this JMC are issued by each Agency in a timely and aligned manner, so as to avoid conflicts amongst such issuances and/or this JMC; and
5. Implement necessary corrective and preventive action to ensure continuous operation of the linked systems, as recommended by the Management Coordinating Committee.

VII. DATA OWNERSHIP, PROTECTION AND RESTRICTION ON USE

Both LRA and DENR shall extend extra diligence in the protection of all data sets shared through the Linkage, considering good practices in Information Security, and the provisions of the Data Privacy Act. Further, both agencies shall assign their respective Data Privacy Officers who shall form part of the Integration Working Group.

Agency Data that is provided in the implementation of this JMC shall remain under the proprietary ownership of the Agency providing said data. Such data may only be used for the official functions of the Agency, and as described in this JMC. An Agency shall not issue Certifications and/or Certified True Copies of the data shared or exchanged by the Other Agency.

VIII. PRESUMPTION OF REGULARITY

Any information/ data shared by one agency to another is presumed to have been obtained or generated in the regular function of the said agency and hereby warrants its existence, accuracy and authenticity.

IX. FEES AND PAYMENT

- A. Any fee to be imposed on covered transactions under this JMC, which shall be defined in a separate issuance to be issued by each agency within sixty (60) days after the effectivity of this JMC, shall be without prejudice to existing fees presently imposed by both agencies.
- B. The DENR and the LRA shall incorporate capabilities in their respective Systems to allow Online Payments by its respective Clients for services required from each Agency and services required based on this JMC.

X. TRANSITORY PROVISIONS

A. Operating Procedures

The LRA Administrator and the DENR-LMB Director, within sixty (60) days from the effectivity of this JMC, shall jointly issue the technical and detailed procedures on the system linkage and data exchange.

Further, they shall issue the corresponding Circulars and directives to their respective offices to ensure the effective implementation of this JMC.

B. Electronic Patent (e-Patent)

The DENR shall adopt the issuance of Patents in electronic/digital forms to replace the manual Judicial Form. For this purpose, a Transition Plan for the full adoption of the process shall be developed by the DENR in consultation with the LRA.

XI. AMENDMENTS

This Joint Memorandum Circular may be amended as may be deemed necessary. All amendments shall be in writing and shall be jointly-approved by the DENR and LRA.

XII. SEPARABILITY CLAUSE

If any provision of this Joint Memorandum Circular, or application of such provision to any circumstance, is declared invalid or unconstitutional, the other provisions not affected thereby shall remain valid and subsisting.

XIII. REPEALING CLAUSE

All orders, guidelines, circulars, rules and regulations inconsistent herewith are hereby repealed or amended accordingly.

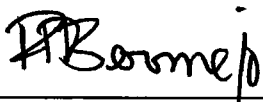
XIV. EFFECTIVITY

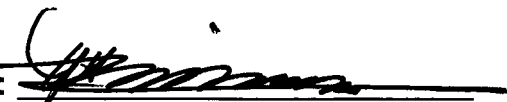
This JMC shall take effect after fifteen (15) days from publication in a newspaper of general circulation.

Done in Diliman, Quezon City, on FEB 03 2021,

LAND REGISTRATION AUTHORITY

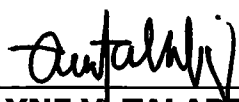
**DEPARTMENT OF ENVIRONMENT AND
NATURAL RESOURCES**

By: 
RENATO D. BERMEJO
Administrator *rk*

By: 
RODOLFO C. GARCIA
Undersecretary for Attached Agencies

SIGNED IN THE PRESENCE OF:


RONALD A. ORTILE, CESO II
Deputy Administrator


EMELYNE V. TALABIS, CESE
pp LMB Acting Director *r*

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