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**MEMORANDUM FROM THE SECRETARY**

TO : All Regional Executive Directors

ATTN. : The Regional Technical Director for Lands

SUBJECT : **REQUEST OF LOCAL GOVERNMENT UNITS (LGUs)  
FOR THE CONDUCT OF POLITICAL BOUNDARY  
SURVEYS**

DATE : DEC 01 2005

In view of the numerous requests by the Local Government Units (LGU's) for the conduct of political boundary surveys, for internal revenue allotment (IRA) purposes, be guided by the following rules on the matter:

1. It is emphasized that the DENR's mandate as to the conduct of political boundary surveys is to render technical assistance to the LGUs. Hence the acceptance of requests of LGUs for the conduct of political boundary surveys should be limited. This is due to budgetary constraints and since our personnel from the Lands Management Service (LMS) are concentrated and committed in public land survey activities for land titling process/activities.
2. LGUs should be advised to contract-out the conduct of the survey to private practising geodetic engineers or any other agency whose primary function is or involved in geodetic surveying, subject however to the provision of DENR Administrative Order No. 98-12 entitled, the "Revised Manual on Land Surveying Regulations in the Philippines." The same shall be submitted to the Regional Office for evaluation, investigation/inspection, verification and approval of survey returns and political boundary maps.
3. In extreme cases, the Region may conduct the political boundary survey as requested but the cost of the survey and operating expenses of our survey party shall be charged to the concerned LGUs.
4. No survey shall be conducted without a joint resolution of adjoining municipalities expressing concurrence to the conduct of the same. This is to avoid potential conflict in the future and to further minimize

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the waste of time and resources in the event that the concerned municipalities are not in agreement with the result of the survey.

Further, it is stressed that the DENR is not mandated to resolve the political boundary disputes between LGUs and that the appropriate venue and mechanism in addressing this issue are laid down under Sections 118 and 119, Chapter 1, Title 9 of Republic Act No. 7160, otherwise known as the "Local Government Code of 1991," and we quote:

**"SEC. 118. *Jurisdictional Responsibility of Settlement of Boundary Dispute.*** - Boundary disputes between and among local government units shall, as much as possible, be settled amicably. To this end:

- (a) Boundary disputes involving two (2) or more barangays in the same city or municipality shall be referred for settlement to the sangguniang panlungsod or sangguniang bayan concerned.
- (b) Boundary disputes involving two (2) or more municipalities within the same province shall be referred for settlement to the sangguniang panlalawigan concerned.
- (c) Boundary disputes involving municipalities or component cities of different provinces shall be jointly referred for settlement to the sanggunian of the provinces concerned.
- (d) Boundary disputes involving a component city or municipality on the one hand and a highly urbanized city on the other, or two (2) or more highly urbanized cities, shall be jointly referred for settlement of the respective sanggunian of the parties.
- (e) In the event the sanggunian fails to effect an amicable settlement within sixty (60) days from the date the dispute was referred thereto, it shall issue a certification to that effect. Thereafter, the dispute shall be formally tried by the sanggunian concerned which shall decide the issue within sixty (60) days from the date of the certification to above.

**SEC. 119. *Appeal.*** - Within the time and manner prescribed by the Rules of Court, any party may elevate the decision of the sanggunian concerned to the proper Regional Trial Court having jurisdiction over the area in dispute. The Regional Trial Court shall decide the appeal within one (1) year from the filing thereof. Pending final resolution of the disputed area prior to the dispute shall be maintained and continued for all legal purposes."

**FOR GUIDANCE AND STRICT COMPLIANCE.**



  
**MICHAEL T. DEFENSOR**  
