



03 November 2020

MEMORANDUM

TO : The Directors
Land Management Bureau
Legal Affairs Service
Policy and Planning Services

FROM : The Assistant Secretary
Field Operations-Mindanao and Legislative Affairs

SUBJECT : **INVITATION FROM THE COMMITTEE ON JUSTICE AND HUMAN RIGHTS**

This pertains to the letter dated 03 November 2020, from Senator Richard J. Gordon, Chairperson, **Committee on Justice and Human Rights**, inviting DENR to a Technical Working Group Meeting on **November 9, 2020, Monday, 10:00 a.m.** via **CISCO WEBEX** Teleconference, to deliberate the following:

Senate Bill No. 1268 - An Act Simplifying the Confirmation of Imperfect Titles, Amending for the Purpose Presidential Decree no. 1529, Commonwealth Act No. 141 and Republic Act no. 9176, and for Other Purposes (by Senator Sonny Angara)

Senate Bill No. 1852 - An Act Improving Confirmation of Imperfect Titles under Section 14 of Presidential Decree no. 1529, improving the Processing of Agricultural Free Patent under Section 44 of Commonwealth Act no. 141, and Removing the Period to File Applications Thereat under Republic Act no. 9176 (by Senator Richard J. Gordon)

Kindly inform this office of your attendance before the scheduled date of the meeting and submit presentation, comments and/or position papers in hard and soft copy at the Legislative Liaison Office at telephone number 8920-1761 and email denrlegislative@yahoo.com for consolidation. Also, please provide the committee an email address, preferably a gmail account to send the official invitation link (Cisco Webex) to the meeting site and a mobile number for easier communication prior to the meeting or you may contact the Committee Secretariat through their email senatejustice@gmail.com or contact the Committee Secretary at Globe Mobile No.: 09064242615 or Office Landline at (02) 85526888/85526601 loc. 3321.

JOANA A. LAGUNDA, D.M., D.F.A.



Office of the Secretary <osec@denr.gov.ph>

Invitation to a Technical Working Group Meeting on November 9, 2020

1 message

Atty. Jose Marcos Babia <senatejustice@gmail.com>

Tue, Nov 3, 2020 at 1:30 PM

To: Office of the Secretary <osec@denr.gov.ph>, Legis Lative <denrlegislative@yahoo.com>, nehemiahsalvador@gmail.com, stvillalobos1716@gmail.com

Good day!

Please find attached invitation to a TWG Meeting on Imperfect Titles, from the Senate Committee on Justice and Human Rights to be held on November 9, 2020 at 10:00 a.m. via Cisco Webex.

Kindly acknowledge receipt of this email and provide the Committee with the e-mail address/es of your participants by replying through this email.

Thank you.

Regards,

ATTY. JOSE MARCOS A. BABIA*Committee Secretary***Committee on Justice and Human Rights**

Senate of the Philippines

Pasay City

Mobile no.: 0999-9935297 / 0906-4242615

Trunklines : +632 85526601 to 6670

Locals : 3321 / 3318

Direct line : +632 88338245

Telefax : +632 85526888

Office Hours: Monday to Thursday

8:00 am - 7:00 am

3 attachments **DENR.pdf**
248K **MATRIX OF IMPERFECT TITLES.pdf**
364K **VIDEOCONFERENCING GUIDELINES.pdf**
140K



Republic of the Philippines
SENATE
Pasay City

COMMITTEE ON JUSTICE AND HUMAN RIGHTS

November 3, 2020

SECRETARY ROY CIMATU

Department of Environment and Natural Resources
osec@denr.gov.ph

Dear **Secretary Cimat**:

The **COMMITTEE ON JUSTICE AND HUMAN RIGHTS** would like to invite you or your technical staff to a Technical Working Group Meeting on **November 9, 2020, Monday, 10:00 a.m. via CISCO WEBEX Teleconference**, to deliberate the following:

- **Senate Bill No. 1268** - AN ACT SIMPLIFYING THE CONFIRMATION OF IMPERFECT TITLES, AMENDING FOR THE PURPOSE PRESIDENTIAL DECREE NO. 1529, COMMONWEALTH ACT NO. 141 AND REPUBLIC ACT NO. 9176, AND FOR OTHER PURPOSES (by Senator SONNY ANGARA)
- **Senate Bill No. 1852** - AN ACT IMPROVING CONFIRMATION OF IMPERFECT TITLES UNDER SECTION 14 OF PRESIDENTIAL DECREE NO. 1529, IMPROVING THE PROCESSING OF AGRICULTURAL FREE PATENT UNDER SECTION 44 OF COMMONWEALTH ACT NO. 141, AND REMOVING THE PERIOD TO FILE APPLICATIONS THEREAT UNDER REPUBLIC ACT NO. 9176 (by Senator RICHARD J. GORDON)

For confirmation of your attendance, please provide the committee an email address, preferably a **gmail account** where we can send the official invitation link (Cisco Webex) to the meeting site and a mobile number for easier communication.

For your queries and/or confirmation of attendance please contact the undersigned Committee Secretary at **Globe Mobile No.: 09064242615** or through his Office Landline at **(02) 85526888/85526601 loc. 3321**.

Thank you.

Very truly yours,

For the Chairman:

SEN. RICHARD J. GORDON


Atty. JOSE MARCOS A. BABIA
Acting Committee Secretary

MATRIX ON CONFIRMATION OF IMPERFECT TITLES

SEN. GORDON SBN 1852	SEN. ANGARA SBN 1268	REMARKS
<p align="center">AN ACT</p> <p>IMPROVING CONFIRMATION OF IMPERFECT TITLES UNDER SECTION 14 OF PRESIDENTIAL DECREE NO. 1529, IMPROVING THE PROCESSING OF AGRICULTURAL FREE PATENT UNDER SECTION 44 OF COMMONWEALTH ACT NO. 141, AND REMOVING THE PERIOD TO FILE APPLICATIONS THEREAT UNDER REPUBLIC ACT NO. 9176</p>	<p align="center">AN ACT</p> <p>SIMPLIFYING THE CONFIRMATION OF IMPERFECT TITLES, AMENDING FOR THE PURPOSE PRESIDENTIAL DECREE NO. 1529, COMMONWEALTH ACT NO. 141 AND REPUBLIC ACT NO. 9176, AND FOR OTHER PURPOSES</p>	
<p>SECTION 1. Declaration of Policy. – It is the declared policy of the State to simplify, update and harmonize similar and related provisions of land laws in order to simplify and remove ambiguity in its interpretation and implementation. It is also the policy of the State to provide land tenure security by continuing judicial and administrative titling</p>	<p>SECTION 1. Declaration of Policy. - It is the declared policy of the State to simplify, update and harmonize similar and related provisions of land laws in order to clarify and remove ambiguity in its interpretation and implementation. It is also the policy of the State to provide land tenure security by continuing judicial and administrative titling</p>	

<p style="text-align: center;">SEN. GORDON SBN 1852</p>	<p style="text-align: center;">SEN. ANGARA SBN 1268</p>	<p style="text-align: center;">REMARKS</p>
<p>processes.</p> <p>SEC. 2. Judicial Confirmation of Imperfect Title. – The qualifications provided in Section 14 of Presidential Decree No. 1529 and Sections 47 and 48, Chapter VII of Commonwealth Act No. 141, as amended, shall be amended to read as follows:</p> <p>“The following persons may file at any time, in the proper Court of First InstanceRegional Trial Court an application for registration of title to land, not exceeding twelve (12) hectares, whether personally or through their duly authorized representatives:</p> <p>(1) Those who by themselves or through their predecessors-in-interest have been in open, continuous, exclusive and notorious possession and occupation of alienable and disposable lands of the public domain under a bona fide claim of</p>	<p>processes.</p> <p>SEC. 2. Judicial Confirmation of Imperfect Title. - The qualifications provided in Section 14 of Presidential Decree No. 1529 and Section 48, Chapter VII of Commonwealth Act No. 141, as amended, shall be amended to read as follows:</p> <p>“Section 14. Who may apply. The following persons may file in the proper [Court of First Instance] REGIONAL TRIAL COURT an application for registration of title to land, NOT EXCEEDING TWELVE (1 2) HECTARES, whether personally or through their duly authorized representatives:</p> <p>(1) Those who by themselves or through their predecessors-in-interest have been in open, continuous, exclusive and notorious possession and occupation of alienable and disposable lands of the public domain under a bona fide claim of ownership [since June 12 1945–of</p>	

<p>SEN. GORDON SBN 1852</p>	<p>SEN. ANGARA SBN 1268</p>	<p>REMARKS</p>
<p>ownership [since June 12, 1945, of earlier.] for at least thirty (30) years immediately preceding the filing of the application for confirmation of title except when prevented by war or force majeure. They shall be conclusively presumed to have performed all the conditions essential to a government grant and shall be entitled to a certificate of title under this Section.</p> <p>(2) Those who have acquired ownership of private lands or abandoned river beds by right of accession or accretion under the existing laws.</p> <p>(3) Those who have acquired ownership of land in any other manner provided for by law.</p>	<p>earlier.] FOR AT LEAST THIRTY (30) YEARS IMMEDIATELY PRECEDING THE FILING OF THE APPLICATION FOR CONFIRMATION OF TITLE EXCEPT WHEN PREVENTED BY WAR OR FORCE MAJEURE. THEY SHALL BE CONCLUSIVELY PRESUMED TO HAVE PERFORMED ALL THE CONDITIONS ESSENTIAL TO A GOVERNMENT GRANT AND SHALL BE ENTITLED TO A CERTIFICATE OF TITLE UNDER THIS SECTION.</p> <p>(2) THOSE WHO HAVE ACQUIRED OWNERSHIP OF PRIVATE LANDS OR ABANDONED RIVER BEDS BY RIGHT OF ACCESSION OR ACCRETION UNDER THE EXISTING LAWS.</p> <p>(3) THOSE WHO HAVE ACQUIRED OWNERSHIP OF LAND IN ANY OTHER MANNER PROVIDED FOR BY LAW."</p> <p>"SECTION 48. The following-described citizens of the Philippines, occupying lands of the</p>	

<p>SEN. GORDON SBN 1852</p>	<p>SEN. ANGARA SBN 1268</p>	<p>REMARKS</p>
	<p>public domain or claiming to own any such lands or an interest therein, but whose titles have not been perfected or completed, may apply to the [Court of First Instance of the province] REGIONAL TRIAL COURT where the land is located for confirmation of their claims and the issuance of a certificate of title therefor, under the Land Registration Act, to wit:</p> <p>(1) THOSE WHO BY THEMSELVES OR THROUGH THEIR PREDECESSORS-IN-INTEREST HAVE BEEN IN OPEN, CONTINUOUS, EXCLUSIVE AND NOTORIOUS POSSESSION AND OCCUPATION OF ALIENABLE AND DISPOSABLE LANDS OF THE PUBLIC DOMAIN UNDER A BONA FIDE CLAIM OF OWNERSHIP FOR AT LEAST THIRTY (30) YEARS IMMEDIATELY PRECEDING THE FILING OF THE APPLICATION FOR CONFIRMATION OF TITLE EXCEPT WHEN PREVENTED BY WAR OR FORCE MAJEURE. THEY SHALL BE CONCLUSIVELY PRESUMED TO HAVE PERFORMED ALL THE CONDITIONS</p>	

<p style="text-align: center;">SEN. GORDON</p> <p style="text-align: center;">SBN 1852</p>	<p style="text-align: center;">SEN. ANGARA</p> <p style="text-align: center;">SBN 1268</p>	<p style="text-align: center;">REMARKS</p>
	<p>ESSENTIAL TO A GOVERNMENT GRANT AND SHALL BE ENTITLED TO A CERTIFICATE OF TITLE UNDER THIS SECTION.</p> <p>(2) THOSE WHO HAVE ACQUIRED OWNERSHIP OF PRIVATE LANDS OR ABANDONED RIVER BEDS BY RIGHT OF ACCESSION OR ACCRETION UNDER THE EXISTING LAWS.</p> <p>(3) THOSE WHO HAVE ACQUIRED OWNERSHIP OF LAND IN ANY OTHER MANNER PROVIDED FOR BY LAW ."</p>	
<p>SEC 3.Certification that the land is Alienable and Disposable. -To comply with this requirement, it is sufficient that the applicant submit a projection map prepared and signed by a licensed geodetic engineer and verified and approved by DENR official designated by the DENR Secretary showing that the land is within Alienable and Disposable lands of the public domain. The projection map shall contain a sworn statement by the geodetic engineer that the</p>	<p>SEC. 3. Certification that the land is Alienable and Disposable. - For purposes of issuing the Certification that the land is Alienable and Disposable, it shall be sufficient that the applicant submit a projection map prepared and signed by a licensed geodetic engineer and verified and approved by DENR official designated by the DENR Secretary showing that the land is within Alienable and Disposable lands of the public domain. The projection map shall contain a sworn statement by the</p>	

<p style="text-align: center;">SEN. GORDON SBN 1852</p>	<p style="text-align: center;">SEN. ANGARA SBN 1268</p>	<p style="text-align: center;">REMARKS</p>
<p>land is within the alienable and disposable lands of the public domain and shall state the applicable Forestry Administrative Order, DENR Administrative Order, Executive Order, Proclamations and the Land Classification Project Map covering the land.</p>	<p>geodetic engineer that the land is within the alienable and disposable lands of the public domain and shall state the applicable Forestry Administrative Order, DENR Administrative Order, Executive Order, Proclamations and the Land Classification Project Map covering the land.</p>	
<p>SEC 4. Administrative legalization (Free Patent). – Sections 44 par 1 and Section 45, Chapter VI of Commonwealth Act No. 141, as amended, is hereby amended to read as follows:</p> <p>"SECTION 44. Any natural-born citizen of the Philippines who is not the owner of more than twelve (12) hectares and who, for at least thirty (30) years prior to the effectivity of this amendatory Act filing of his/her application, has continuously occupied and cultivated, either by himself/herself or through</p>	<p>SEC. 4. Administrative legalization of Free Patents. - Sections 44, Chapter VI of Commonwealth Act (CA) No. 141, as amended, is further amended to read as follows:</p> <p>"SECTION 44. Any natural-born citizen of the Philippines who is not the owner of more than twelve (12) hectares and who, for at least thirty (30) years prior to the [effectivity of this amendatory Act] FILING OF THE APPLICATION , has continuously occupied and cultivated, either by himself/HERSELF or through his/HER predecessors-in-interest a tract or tracts of ALIENABLE AND DISPOSABLE agricultural public lands subject to disposition, AND who shall have paid the real estate tax</p>	

<p>SEN. GORDON SBN 1852</p>	<p>SEN. ANGARA SBN 1268</p>	<p>REMARKS</p>
<p>his/her predecessors-in-interest a tract or tracts of alienable and disposable agricultural public lands subject to disposition, and who shall have paid the real estate tax thereon [while the same has not been occupied by any person] shall be entitled to have a free patent issued to him/her for such tract or tracts of such land not to exceed twelve (12) hectares.</p> <p>"SEC. 45. Period for Application. All applications shall be filed at any time after the effectivity of this Act before the Community Environment and Natural Resources Office (CENRO) or region of the Department of Environment and Natural Resources (DENR). The CENRO is mandated to process the</p>	<p>thereon [while the same has not been occupied by any person] shall be entitled, under the provisions of this Chapter, to have a free patent issued to him for such tract or tracts of such land not to exceed twelve (12) hectares."</p>	

SEN. GORDON SBN 1852	SEN. ANGARA SBN 1268	REMARKS
<p>application within one hundred and twenty (120) days to include compliance with the required notices and other legal requirements, and forward his/her recommendation to the Provincial Environment and Natural Resources Office (PENRO), who shall have five (5) days to approve or disapprove the patent. In case of approval, the patent shall be issued; in case of conflicting claims among different claimants, the parties may seek the proper judicial remedies. Provided, that in provinces with no CENRO, the application shall be filed with the PENRO."</p>		
<p>SEC. 5. Removal of Restrictions. – The provisions of Republic Act No. 11231 shall be applicable to Free Patents issued under this Act.</p>		
	<p>SEC. 5. Section 45, as amended, of CA No. 141 shall be deleted and a new Section 45 shall be</p>	

<p>SEN. GORDON SBN 1852</p>	<p>SEN. ANGARA SBN 1268</p>	<p>REMARKS</p>
	<p>inserted as follows:</p> <p>"SECTION 45. PERIOD FOR APPLIC ATION . ALL APPLICATIONS SHALL BE FILED AT ANY TIME AFTER THE EFFECTIVITY OF TH IS ACT BEFORE THE COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE (CENRO) OR REGION OF THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES (DENR). THE CENRO IS MANDATED TO PROCESS THE APPLICATION WITHIN ONE HUNDRED AND TWENTY (120) DAYS TO INCLUDE COMPLIANCE WITH THE REQUIRED NOTICES AND OTHER LEGAL REQUIREMENTS, AND FORWARD THEIR RECOMMENDATION TO THE PROVINC IAL ENVIRONMENT AND NATURAL RESOURCES OFFICE (PENRO) IF THE AREA OF THE LAND IS BELOW FIVE (5) HECTARES; TO THE DENR REGIONAL DIRECTOR IF THE AREA OF THE LAND IS FIVE (5) TO TEN (10) HECTARES; AND TO THE SECRETARY OF DENR IF THE AREA OF THE LAND IS MORE THAN 10 TO TWELVE (12) HECTARES, WHO SHALL HAVE FIVE (5) DAYS</p>	

<p>SEN. GORDON SBN 1852</p>	<p>SEN. ANGARA SBN 1268</p>	<p>REMARKS</p>
	<p>TO APPROVE OR DISAPPROVE THE PATENT. IN CASE OF APPROVAL, THE PATENT SHALL BE ISSUED; IN CASE OF CONFLICTING CLAIMS AMONG DIFFERENT CLAIMANTS, THE PARTIES MAY SEEK THE PROPER JUDICIAL REMEDIES. PROVIDED, THAT IN PROVINCES WITH NO CENRO, THE APPLICATION SHALL BE FILED WITH THE PENRO."</p> <p>SEC. 6. Section 47, Chapter V III of CA No. 141, as amended by Republic Act No. 9176, is hereby amended to read as follows:</p> <p>"Section 47. The persons specified in the next following section [are hereby granted time, not to extend beyond December 31, 2020 within which to] MAY avail of the benefits of this Chapter AT ANYTIME. [∴ Provided, That this period shall apply only where the area applied for does not exceed twelve (12) hectares: Provided, further, That the several periods of time designated by the President in accordance with Section Forty five of this Act shall apply also to the lands comprised in the provisions of this Chapter, but this Section</p>	

<p>SEN. GORDON SBN 1852</p>	<p>SEN. ANGARA SBN 1268</p>	<p>REMARKS</p>
	<p>shall not be construed as prohibiting any of said persons from acting under this Chapter at any time prior to the period fixed by the President] "</p>	
	<p>SEC. 7. Penalties. - In addition to the administrative sanctions, any person who violates Section 3 of this Act shall, upon conviction, be imprisoned for not less than six (6) months nor more than six (6) years, at the discretion of the court.</p>	
<p>SEC. 6. Implementing Rules and Regulations. - Within sixty (60) days from the effectivity of this Act, the Director of the Land Management Bureau of DENR shall promulgate the Implementing Rules and Regulations to carry out the provisions of this Act, and shall see to it that such are gender responsive.</p>	<p>SEC. 8. Implementing Rules and Regulations - Within sixty (60) days from the effectivity of this Act, the DENR shall promulgate the Implementing Rules and Regulations to carry out the provisions of this Act.</p>	
<p>SEC. 8. Separability Clause. - If, for any reason or reasons, any part or parts of this Act shall be declared unconstitutional or invalid by any competent court, other parts of this Act</p>	<p>SEC. 9. Separability Clause. - If, for any reason or reasons, any part or parts of this Act shall be declared unconstitutional or invalid by any competent court, other parts of this Act which</p>	

<p>SEN. GORDON SBN 1852</p>	<p>SEN. ANGARA SBN 1268</p>	<p>REMARKS</p>
<p>shall be thereby shall continue to be in full force and effect.</p> <p>SEC. 7. Repealing Clause. – All laws, decrees, executive orders, executive issuances or letters of instruction, rules and regulations or any part thereof inconsistent with or contrary to the provisions of this Act are hereby deemed repealed, amended or modified accordingly.</p> <p>SEC. 9. Effectivity Clause. – This Act shall take effect fifteen (15) days after publication in the Official Gazette or in at least two (2) newspapers of general circulation.</p> <p>Approved</p>	<p>are not affected thereby shall continue to be in full force and effect.</p> <p>SEC. 10. Repealing Clause. - All laws, decrees, executive orders, executive issuances or letters of instruction, rules and regulations or any part thereof inconsistent with or contrary to the provisions of this Act are hereby deemed repealed, amended or modified accordingly.</p> <p>SEC. 11. Effectivity Clause. - This Act shall take effect fifteen (15) days following its publication in the Official Gazette or in a newspaper of general circulation.</p> <p>Approved,</p>	

SENATE LEGISLATIVE COMMITTEE SUPPORT SERVICES FOR GOVERNANCE
AND LEGAL CONCERNS (LCSS-GLC)
PARTICIPANT GUIDE ON THE USE OF TELECONFERENCING FOR HEARINGS

To ensure an orderly conduct of hearings, please observe and be reminded of the following:

Before the hearing

1. Participants are encouraged to prepare their devices to access Cisco Webex via browser, desktop app, or mobile app.
2. **For ease of verification, participants are requested to use their official name and email when joining the Zoom meeting. The name displayed must also include the agency /organization from where the participant comes from.** Participants who are not on the official list of the Committee will not be allowed in the virtual meeting room.
3. The meeting link and access code will be sent out an hour before the hearing to the designated emails of all senators and resource persons. Only the Senators and resource persons who confirmed their attendance will receive the meeting link. This information is confidential and may not be shared.
4. Upon clicking the meeting link, a participant is automatically put in a virtual lobby while waiting for the hearing to begin. Participants are encouraged to join the meeting ahead of schedule so that potential technical and accessibility concerns can be addressed.
5. The meeting will be locked 15 minutes after the hearing starts. As the system does not have a notification system to the Host in the case of late or locked out participants, those who join beyond the 15-minute mark are asked to send a message to the host at (0917-8787176 – Ms. Avie) to be included in the meeting.

During the hearing

1. All microphones are put on mute by default. To prevent unnecessary background noise, participants are discouraged from turning on the microphone unless recognized to speak by the Chairperson or any Member of the Committee.
2. **Participants/guests are requested to always maintain proper decorum and appear in appropriate office attire as those observed and used in regular face to face hearings/meetings in the Senate.**
3. Participants who want to be recognized may use the 'Raise-Hand' button beside their name in the Participant Panel. The speaking sequence will be determined in the order that the request was made, or as otherwise agreed upon by the Committee Members. A participant may only speak upon being recognized. The duly recognized participant may then unmute the microphone or let the Host do it.
4. For resource persons who want to make a presentation, all files have to be pre-approved by the Committee at least a day before the hearing. During the hearing, upon being recognized, the participant must ask permission to present the pre-approved document before the Host can enable the Share File function. Files not previously approved by the Committee may not be presented.
5. Participants are requested to virtually remain in the meeting until the end of the hearing.
6. The meeting will be recorded for documentation.
7. For all other non-participants, the hearing may be monitored via the Senate Live Webcast/Senate Youtube Channel.
8. All other concerns may be sent via private message to the Host in the chat box.

Thank you.



Republic of the Philippines
 Department of Environment and Natural Resources
 Document Action Tracking System
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196 25,349

Document No: DENR CO - OSEC-2020-003073

Print Date: Tuesday, November 03, 2020

Sender: ATTY. JOSE MRCOS A. BABIA

Address: SENATE-COMMITTEE ON JUSTICE AND HUMAN RIGHTS

Subject: LETTER DTD 11/03/2020 E-MAIL DATED NOVEMBER 3, 2020 RE: INVITATION TO A TECHNICAL WORKING GROUP MEETING ON NOVEMBER 9, 2020

Addressee(s): Office of the Secretary (DENR CO - OSEC)

memo # 554

CC Addressee(s):

Date/Time Received: 11/03/2020 02:01:00 PM

9 Nov

ROUTING AND ACTION INFORMATION

FROM	DATE/TIME RECEIVED	FOR/TO	DATE/TIME RELEASED	ACCEPTANCE REMARKS/ACTION REQUIRED/TAKEN REMARKS/STATUS
	11/03/2020 02:03:41 PM	DENR CO - OSEC		3pm

LLO 11-3-20 Respectfully referred.

Reminded via email to concerned offices 11-7-2020

Ana 11/4/20 kashi 11.4.20
1:57

per [signature]

[signature]

NOV 04 2020

160-180
Serafin