



**DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES
KAGAWARAN NG KAPALIGIRAN AT LIKAS NA YAMAN**



MEMORANDUM

FOR/TO : The Assistant Secretary for Legal Affairs and Enforcement
Director, Climate Change Service
Director, Foreign-Assisted and Special Projects Service
Director, Internal Audit Service
Director, Strategic Communication and Initiatives Service
Director, Biodiversity Management Bureau
Director, Ecosystems Research and Development Bureau
Director, Environmental Management Bureau
Director, Forest Management Bureau
Director, Mines and Geosciences Bureau
Chief of Staff/HEA, Office of the Undersecretary for Legal and Administration
Chief of Staff/HEA, Office of the Undersecretary for Finance, Information Systems and Climate Change
Chief of Staff/HEA, Office of the Undersecretary Policy, Planning and International Affairs
Chief of Staff/HEA, Office of the Undersecretary for Field Operations (FO) – Luzon and Visayas and Supervising Undersecretary for EMB and MGB – Luzon and Visayas
Chief of Staff/HEA, Office of the Undersecretary for FO – Mindanao and Supervising Undersecretary for EMB and MGB - Mindanao
Chief of Staff/HEA, Office of the Undersecretary for Integrated Environmental Science
Chief of Staff/HEA, Office of the Undersecretary for Special Concerns and Legislative Affairs
Chief of Staff/HEA, Office of the Assistant Secretary for Policy, Planning, International Affairs and Climate Change
Chief of Staff/HEA, Office of the Assistant Secretary for FO - Luzon and Visayas
Chief of Staff/HEA, Office of the Assistant Secretary for FO - Mindanao
Chief of Staff/HEA, Geospatial Database Office

FROM : The OIC Director
Policy and Planning Service

SUBJECT: **REQUEST FOR COMMENT/CONCURRENCE ON THE REVISED DRAFT DENR ADMINISTRATIVE ORDER (DAO) RE GUIDELINES ON THE ANNOTATION OF LEGAL BASIS IN THE SURVEY PLANS IN CASE OF CHANGE OF POLITICAL JURISDICTION OR NAMES OF LOCAL GOVERNMENT UNITS (LGUS)**

DATE : **03 OCT 2024**

This refers to the Memorandum from the Director, Land Management Bureau (LMB) dated 05 September 2024, submitting the above-cited revised draft DAO

MEMO NO. 2024 - 888

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which was subject of review during the PTWG Meeting No. 2024-04 held on 23 May 2024 at the OASIA Conference Room. Upon review, the Policy Studies Division (PSD) requested the revision of certain provisions, in an email to the proponent dated 10 September 2024. The proponent revised and resubmitted to the draft policy and attachments in an email to PSD dated 30 September 2024. As agreed during the said meeting, the revised draft policy shall be circulated to the PTWG members for final vetting.

In this regard, may we request your comment/concurrence on the revised draft policy. We will appreciate receiving your feedback on or before **11 October 2024**. If we do not receive any response from you by the said deadline, we will interpret it as your endorsement of the proposed policy.

We have attached a copy of the Summary of Agreements during PTWG No. 2024-04, for your reference.

For your consideration, please.


CHERYL LOISE T. LEAL

Copy furnished

The Director
Land Management Bureau



DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES
KAGAWARAN NG KAPALIGIRAN AT LIKAS NA YAMAN



**DENR ADMINISTRATIVE ORDER
NO. 2024 - _____**

SUBJECT: GUIDELINES ON THE ANNOTATION OF LEGAL BASIS IN THE SURVEY PLANS IN CASE OF CHANGE OF POLITICAL JURISDICTION OR NAMES OF LOCAL GOVERNMENT UNITS (LGUs)

Pursuant to Executive Order No. 192 or the "Reorganization Act of the Department of Environment and Natural Resources," Republic Act (RA) No. 7160 or the "Local Government Code of 1991" and its Implementing Rules and Regulations (IRR), RA No. 11032 or the "Ease of Doing Business and Efficient Government Service Delivery Act of 2018," DENR Administrative Order (DAO) No. 2007-29 or the "Revised Regulations on Land Surveys," and DENR Memorandum Circular (DMC) No. 2010-13 or the "Adoption of the Manual on Land Survey Procedures," the following guidelines are hereby issued for the guidance of all concerned.

SECTION 1. Basic Policy. It is the policy of the State to accelerate land surveys in the entire country in support of the effective land management and administration through an effective and efficient land map system of adjudication and disposition of alienable and disposable lands of the public domain and other lands reserved or utilized by other government agencies.

SECTION 2. Objective. This Order aims to provide uniform guidelines on the annotation of legal basis in the survey plans in case of change of political jurisdiction or names of Local Government Units (LGUs) and amendment of political boundary maps.

SECTION 3. Scope and Coverage. This Order shall apply to the following:

- 3.1. All pending and newly submitted survey plans for inspection, verification and approval (IVAS), and political boundary maps whose areas are covered by new laws on the creation, division, merger, abolition, or decisions of the Court pursuant to a political boundary dispute; and
- 3.2. Survey plans that are existing/in the possession of the DENR.

SECTION 4. Definition of Terms. As used in this Order, the following terms shall be defined as:

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- 4.1. **Annotation** – serves as a legal note or remark on the survey plan, the process of adding explanatory notes or extra information or piece of information, such as a “footnote.”
- 4.2. **LAMS-IVAS** – an implementation of transaction tracking features in LAMS for the inspection, verification and approval of survey plans.
- 4.3. **Legal Basis** – any entry or annotation on a plan or maps rooted in established laws, court orders or administrative rulings that directly impact the change in the name of political jurisdiction.
- 4.4. **Philippine Standard Geographic Code (PSGC)** – is a systematic way of classifying and coding geographic areas in the Philippines. It categorizes areas based on four established levels of geographic-political subdivisions: region, province, municipality or city, and barangay.
- 4.5. **Political Jurisdiction** – the geographical area or territory over which a government or political authority exercises its legal and administrative authority.
- 4.6. **Survey Plan** – a two-dimensional plan showing the metes and bounds of a surveyed parcel of land and other pertinent information.

SECTION 5. Annotation of Legal Basis on Survey Plans. For newly submitted survey plans, the licensed private Geodetic Engineer shall be responsible in annotating the legal basis in the change of name of the barangay, city or municipality, province, and region in the survey returns in accordance existing laws, rules and regulations, and shall ensure that the same is accurate and up to date. In instances where changes in the political jurisdiction or names of LGUs because of the creation, division, merger, abolition, or resolution of political boundary disputes, the names of the locations of lots of pending and newly submitted survey plans submitted for IVAS shall observe the following guidelines:

- 5.1. **Annotation of Former Name on the Survey Plan.** The former name of the location shall be indicated immediately after the present name of the area on all survey plans.

Example: New Name (Formerly Old Name)
Zamboanga Sibugay (Formerly Zamboanga Del Sur)

- 5.2. **Annotation of Legal Basis**

- 5.2.1. When a change in political jurisdiction occurs, the survey plan must include an annotation of the legal basis for such change. The annotation of the legal basis shall be prominently displayed on the survey plan, preferably located at the bottom

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left corner of the plan as specified in the "Notes" section (Annex A).

The following information should be included in the annotation of the legal basis:

5.2.1.1. Title and citation of the relevant law, ordinance, executive order, decision or proclamation; and

5.2.1.2. Date of effectivity, enactment or issuance.

Example:

NOTE:

Zamboanga Sibugay was formerly part of Zamboanga del Sur. It was created pursuant to Republic Act No. 8973 dated November 7, 2000.

5.2.2. The legal basis for annotations may include, but is not limited to, the following: entry of judgment citing a decision of the Supreme Court, laws, ordinances, executive orders, or proclamations that authorized the change, such as the following:

5.2.2.1. Change pursuant to Supreme Court Decisions - when the Supreme Court issues entry of judgment that impact the boundaries or administrative structure of LGUs.

Example:

NOTE:

Barangay Rizal, Panukulan, Quezon was transferred from Municipality of Burdeos to the Municipality of Panukalan pursuant to Supreme Court decision dated 04 January 2013. The Sangguninang Panlalawigan of Quezon's decision regarding the boundary dispute between the Municipalities of Panukalan and Burdeos, both in the Province of Quezon, over Barangay Rizal, has been upheld pursuant to final and executory court rulings. This is reflected in Civil Case No. 03-0614-M, Municipality of Burdeos, Province of Quezon, represented by Mayor Jose M. Ayuso vs. Municipality of Panukalan, Province of Quezon, represented by Municipal Mayor Herminio A. Penamente, and G.R. No. 203213, November 21, 2012, Municipality of Burdeos vs. Province of Quezon.

5.2.2.2. Change pursuant to Presidential Proclamations or Decrees - Presidential Proclamations or Decrees

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issued by the President of the Philippines may alter the territorial boundaries and jurisdictions of LGUs.

Example:

NOTE:

President Carlos P. Garcia (Pitogo) from Pres. Carlos P. Garcia. Correction of name pursuant to PD 1228 dated 25 October 1977; RA 5864; Municipal Certification.

5.2.2.3. Change pursuant to Executive Orders - similar to Presidential Proclamations, Executive Orders issued by the executive branch of the government can lead to modifications in LGU boundaries and political arrangements.

Example:

NOTE:

Municipality of Mataasnakahoy, Batangas correction of name from Municipality of Mataas na Kahoy. It was created as a municipality through Executive Order No. 308 signed by acting Governor General of the Philippines George C. Butte on March 27, 1931, effective January 1, 1932.

5.2.2.4. Change pursuant to Republic Acts - amendments or the creation of new laws, known as Republic Acts, can significantly impact LGU territories for the creation, division, merger, abolition, and alteration of the boundaries.

Example:

NOTE:

Caloocan City, NCR formerly Kalookan City. Correction of name pursuant to RA 3278, approved: June 17, 1961.

5.2.2.5. Change pursuant to Certifications, Memoranda, Ordinance and Resolutions issued by local legislative bodies such as the Sangguniang Bayan, Sangguniang Panlungsod, and Sangguniang Panlalawigan, along with the directive from the Commission on Elections (COMELEC), the Department of the Interior and Local Government (DILG), and local chief executives (Mayors or Governors), which shall serve as valid documentary proof for this purpose.

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Example:

NOTE:

Bgy. Naibuan, San Jose, Occidental Mindoro formerly Bgy. Batasan. Newly created barangay pursuant to SP Resolution No. 138 s. 2007, plebiscite conducted on 05 January 2018.

- 5.3. The Geodetic Engineers shall refer to the Philippine Statistics Authority (PSA) – PSGC for the correct names of the barangay, city or municipality, and province of the titled or untitled lot parcel/s before submitting the survey returns to the concerned DENR-Regional Office (RO) for Land Administration and Management System - Inspection, Verification, and Approval of Surveys (LAMS-IVAS).
- 5.4. For all approved survey plans and political boundary maps in the possession of the Regional Surveys and Mapping Division (SMD), the Department shall ensure that land records are accurate, transparent, updated, and compliant with regulations, including annotating the plans with the legal basis outlined in this order, which will be added in the "Notes" section.

SECTION 6. Evaluation of the Annotation in the Survey Plan. To minimize or prevent legal actions due to confusion in lot identification, any changes in political jurisdiction should be clearly annotated on survey plans with their legal basis.

The following procedures shall be observed and the process flows are hereto attached as Annexes B and C:

- 6.1. **Annotation by Private Geodetic Engineers.** Private Geodetic Engineers shall be responsible for annotating the legal basis in the "Notes" section of pending and newly submitted survey plans for IVAS whenever there is a change in the political jurisdiction of the lot.
 - 6.1.1. The private Geodetic Engineer shall submit the survey plan with annotation to the Surveys and Mapping Division of the Regional Office for IVAS, following the normal process of submitting survey returns.
 - 6.1.2. The concerned section shall verify the annotation of the legal basis by cross-referencing with the Philippine Statistics Authority and other relevant offices. In case of no correction, the said plan shall be recommended for approval.
 - 6.1.3. If corrections are identified during the verification process, the authorized DENR personnel shall make the necessary amendments to the plan. These corrections shall be

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coordinated with the private Geodetic Engineer to ensure accuracy.

6.1.4. After corrections are made, the updated survey plan shall be processed for approval in accordance with standard LAMS-IVAS procedures.

6.1.5. All approved plans shall be scanned, uploaded to LAMS, and archived in the database for updating and record-keeping.

6.2. DENR-initiated Annotation. The Regional SMD shall be responsible for making annotations on previously approved survey plans and political boundary maps.

6.2.1. The Records Section shall come up with an inventory/list of all survey plans affected by changes in the names of political jurisdictions.

6.2.2. The Assistant Regional Director for Technical Services (ARD-TS) shall issue an Order of Correction for the annotations. The original or digital copies of the approved plans and political boundary maps shall be forwarded to the concerned section, which will then annotate the legal basis on the affected survey plans.

6.2.3. The Assistant Chief of the Regional SMD shall review the annotations, initial the "Notes" section, and recommend approval to the Chief of the SMD.

6.2.4. The Chief of Regional SMD shall sign and approve the corrections. The annotated survey plans shall then be forwarded to the Land Records Section for scanning, uploading to LAMS, and archiving.

6.2.5. The Regional SMD shall maintain and regularly update the database of annotated survey plans and political boundary maps.

SECTION 7. Order of Correction for the Annotation on Survey Plans and Political Boundary Maps. An Order of Correction shall be issued by the Assistant Regional Director for Technical Services for the change of name of the location before any alterations, changes, modifications, or revisions can be made to previously approved survey plans and political boundary maps.

The Chief of the Regional SMD shall amend the political boundary map within fifteen (15) calendar days from the date of receipt of the Order of Correction (Annex D).

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SECTION 8. Transitory Provision. Upon effectivity of this Order, the processing period for the IVAS of the pending survey plans which needed correction of annotation shall be suspended until such time that the corresponding correction has been made on the affected survey plans by the concerned section of the SMD.

The correction shall be made by the said concerned section within five (5) calendar days from the referral thereof by the Chief, Regional SMD.

SECTION 9. Separability Clause. If any provision of this Order shall be held invalid or unconstitutional, the other portions or provisions hereof which are not affected shall continue in full force and effect.

SECTION 10. Repealing Clause. All Orders and other similar issuances inconsistent herewith are hereby revoked, amended, or modified accordingly.

SECTION 11. Effectivity. This Order shall take effect fifteen (15) days after its publication in a newspaper of general circulation and upon acknowledgement of the receipt of the copy thereof by the Office of the National Administrative Register (ONAR).

MARIA ANTONIA YULO LOYZAGA
Secretary

ANNEX A

SAMPLE PLAN:

**PLAN OF LAND
AS SURVEYED FOR
(Name of Claimant)
SITUATED IN THE**

URBAN CODE:

BARANGAY OF:

MUN/ CITY OF:

PROVINCE OF:

ISLAND OF:

Concepcion

Alicia

ZAMBOANGA SIBUGAY (formerly Zamboanga del Sur)

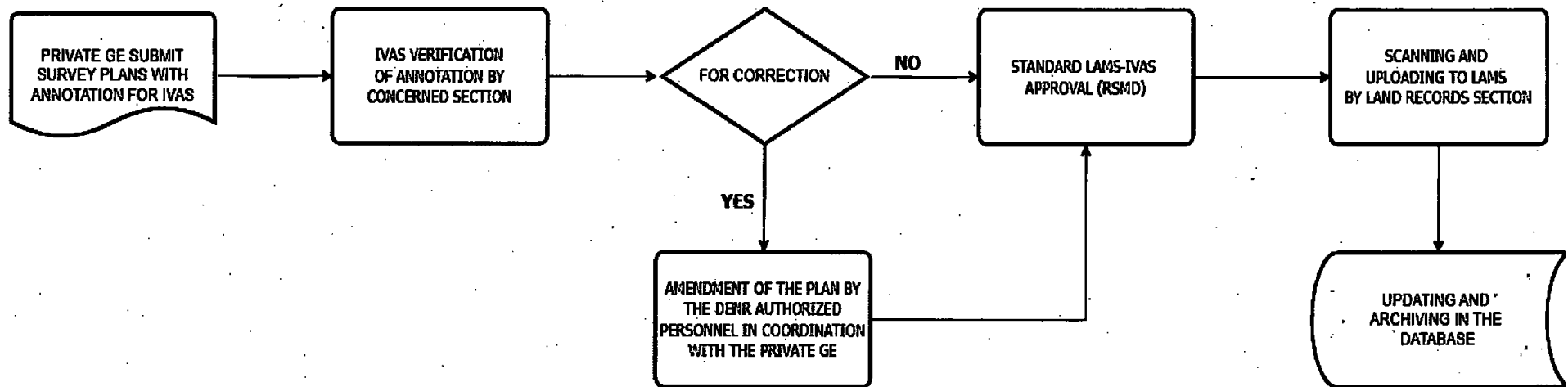
MINDANAO

NOTE:

Zamboanga Sibugay was formerly part of Zamboanga del Sur. It was created pursuant to Republic Act No. 8973 dated November 7, 2000.

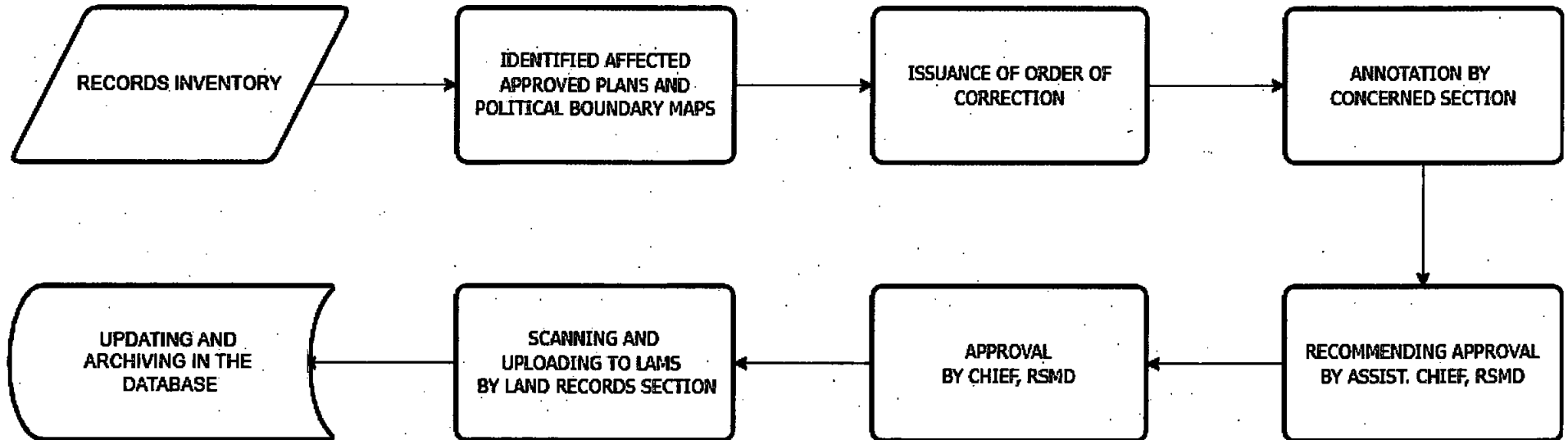
ANNEX B. Process Flow on the Annotation by Private Geodetic Engineers

Annotation by Private Geodetic Engineers



ANNEX C. Process Flow for DENR-initiated Annotation

DENR-initiated Annotation



ANNEX D

IN THE MATTER OF :

Approved Survey Plan/Political
Boundary Map :

LOCATION: _____

_____, surveyed for
Name of Claimant/Owner :

By: _____ :

x _____ x

ORDER OF CORRECTION

WHEREAS, survey plan/political boundary map of [Location], a [Type of Survey] of [Lot Numbers], [Plan Number], situated in [Barangay/Municipality/City/Province] containing an area of [Area in Square Meters] square meters, surveyed for [Name of Entity or Individual Claimant/Owner], by [Name of Geodetic Engineer/Surveyor] was approved on [Date of Approval] by the [Approving Authority];

WHEREAS, pursuant to the relevant laws and regulations governing land surveys and the official records of local government units, any affected lot(s) or political boundary must reflect the proper legal basis for such changes, which should be clearly annotated in the remarks section of the survey plan, indicating the date and relevant government issuance;

WHEREFORE, premises considered, all concerned authorities and geodetic engineers are hereby directed to update the survey plans to reflect any changes in political jurisdiction or the names of local government units (LGUs), based on official records or proclamations. This Order mandates the correction and proper annotation of the legal basis in all affected survey plans or political boundary maps.

The Chief, Surveys and Mapping Division (SMD), and the concerned section are hereby ordered to effect the necessary corrections within fifteen (15) calendar days from the date of receipt of the Order of Correction in the approved survey returns on file in the Records of SMD, Technical Services, DENR-Regional Office [Region].

SO ORDERED.

Date, Venue

NAME AND SIGNATURE

Assistant Regional Director for Technical Services

Copy Furnished:

The Chief, Geodetic Surveys Division
Land Management Bureau

The chief, Surveys and Mapping Division
The Chief, Concerned Section
DENR-RO _____

Concerned Geodetic Engineer(s)