

# [ PRESIDENTIAL DECREE NO. 1417, June 09, 1978 ]

## **FURTHER AMENDING SECTION 198 OF THE REVISED ADMINISTRATIVE CODE AS AMENDED BY REPUBLIC ACT NOS. 116 AND 2711, BY INCREASING THE FEES COLLECTIBLE IN CONNECTION WITH REGISTRATION OF CHATTEL MORTGAGES.**

**WHEREAS**, there has been an unprecedented increase in the cost of equipment, materials and supplies used by the Land Registration Commission;

**WHEREAS**, it is in consonance with sound fiscal policy that the registration fees collectible by the Land Registration Commission through its registries of deeds be adjusted accordingly.

**NOW, THEREFORE, I, FERDINAND E. MARCOS**, President of the Philippines, by virtue of the powers in me vested by the Constitution, do hereby decree and order:

**SECTION 1.** Section 198 of the Revised Administrative Code, as amended by Republic Act Nos. 116 and 2711, is hereby further amended to read as follows:

**"SEC. 198.** *Registration of chattel mortgages and fees collectible in connection therewith.*—Every register of deeds shall keep a primary entry book and a registration book for chattel mortgages; shall certify on each mortgage filed for record, as well as on its duplicate, the date, hour, and minute when the same was by him received; and shall record in such books any chattel mortgage, assignment, or discharge thereof, and any other instruments relating to a recorded mortgage, and all such instruments shall be presented to him in duplicate the original to be filed and the duplicate to be returned to the person concerned.

The recording of a mortgage shall be effected by making an entry, which shall be given a correlative number, setting forth the names of the mortgages and the mortgagor, the sum or obligation guaranteed, date of the instrument, name of the notary before whom it was sworn to or acknowledged, and a note that the property mortgaged, as well as the terms and conditions of the mortgage, is mentioned in detail in the instrument filed, giving the proper file number thereof. The recording of other instruments relating to a recorded mortgage shall be effected by way of annotations on the space provided therefor in the registration book, after the same shall have been entered in the primary entry book.

The register of deeds shall also certify the officer's return of sale upon any mortgage, making reference upon the record of such officer's return to the volume and page of the record of the mortgage, and a reference of such return on the record of the mortgage itself, and give a certified copy thereof, when requested, upon payment of the lawful fees for such copy; and certify upon each mortgage officer's return of sale or discharge of mortgage, and upon any other instrument relating to such a recorded mortgage, both on the original and on the duplicate, the date, hour, and minute when the same is received for record and record such certificate

with the return itself and keep an alphabetical index of mortgagors and mortgagees, which record and index shall be open to public inspection.

Duly certified copies of such records and of filed instruments shall be receivable as evidence in any court.

The register of deeds shall collect the following fees for services rendered by him under this section:

- a. For entry or presentation of any document in the primary entry books, five pesos. Supporting papers presented together with the principal document need not be charged any entry or presentation fee unless the party in interest desires that they be likewise entered.
- b. For filing and recording each chattel mortgage, including the necessary certificates and affidavits, the fees established in the following schedule shall be collected:
  1. When the amount of the mortgage does not exceed six thousand pesos, seven pesos for the first five hundred pesos or fractional part thereof, and three pesos for each additional five hundred pesos or fractional part thereof.
  2. When the amount of the mortgage is more than six thousand pesos but does not exceed thirty thousand pesos, forty-eight pesos for the initial amount not exceeding eight thousand pesos, and eight pesos for each additional two thousand pesos or fractional part thereof.
  3. When the amount of the mortgage is more than thirty thousand pesos but does not exceed one hundred thousand pesos, one hundred fifty pesos for the initial amount not exceeding thirty-five thousand pesos, and fourteen pesos for each additional five thousand pesos or fractional part thereof.
  4. When the amount of the mortgage is more than one hundred thousand pesos but does not exceed five hundred thousand pesos, three hundred fifty-two pesos for the initial amount not exceeding one hundred ten thousand pesos and twenty pesos for each additional ten thousand pesos or fractional part thereof.
  5. When the amount of the mortgage is more than five hundred thousand pesos, one thousand one hundred sixty-two pesos for the initial amount not exceeding five hundred twenty thousand pesos, and thirty pesos for each additional twenty thousand pesos or fractional part thereof: *Provided, however,* That registration of the mortgage in the province where the property is situated shall be sufficient registration: *And provided, further,* That if the mortgage is to be registered in more than one city or province, the register of deeds of the city or province where the instrument is first presented for registration shall collect the full amount of the fees due in accordance with the schedule prescribed above, and the register of deeds of the other city or province where the same instrument is also to be registered shall collect only a sum equivalent to twenty *per centum* of the amount of fees due