

[PRESIDENTIAL DECREE NO. 266, August 04, 1973]

PROVIDING FOR THE MECHANICS OF REGISTRATION OF OWNERSHIP AND/OR TITLE TO LAND UNDER PRESIDENTIAL DECREE NO. 27.

WHEREAS, the present laws do not adequately provide for a method of registering the ownership of tenant-farmers covered by Presidential Decree No. 27; and

WHEREAS, there is urgent need of registering such rights to prevent confusion in land titles;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers in me vested by the Constitution as Commander-in-Chief of all the Armed Forces of the Philippines, and pursuant to Proclamation No. 1081, dated September 21, 1972, and General Order No. 1, dated September 22, 1972, as amended, do hereby decree and order the registration of said rights in the following manner:

SECTION 1. All Land Transfer Certificates issued pursuant to Presidential Decree No. 27 shall be filed by the Department of Agrarian Reform and recorded with the Land Registration Commission and forthwith the latter shall transmit a copy thereof to the Register of Deeds of the province or city where the land lies. When involving registered land, the Department of Agrarian Reform shall indicate the number of the corresponding original or transfer certificate of title.

Upon receipt of the copy of the Land Transfer Certificate, the Register of Deeds concerned shall record it in the primary entry book and annotate a memorandum thereof in the corresponding certificate of title covering the land, without need of prior surrender of the owner's duplicate certificate of title. It shall be the duty of the Register of Deeds to notify the registered owner concerned of such fact within a reasonable time. If the land involved is not registered under the Torrens System, the Register of Deeds shall record the Land Transfer Certificate in the primary entry book and in the registration book made and *provided* for unregistered lands under Act 3344.

SEC. 2. After the tenant-farmer shall have fully complied with the requirements for a grant of title under Presidential Decree No. 27, an Emancipation Patent and/or Grant shall be issued by the Department of Agrarian Reform on the basis of a duly approved survey plan.

If the land is previously registered under the Torrens System, the Emancipation Patent and/or Grant, if filed with the Register of Deeds, shall constitute conclusive authority for him to enter a transfer certificate of title in accordance with such patent and/or grant: *Provided, however*, That the Register of Deeds, before cancelling the original of the certificate of title and issuing a new one in favor of the grantee, shall require the registered owner or the party in possession thereof to surrender for cancellation the owner's duplicate within a reasonable period: And *provided, further*, That if the owner or party withholding such duplicate certificate shall refuse or fail to surrender the same within thirty (30) days from and after the date of receipt of the proper notice, the Register of Deeds shall be authorized to