

[REPUBLIC ACT NO. 117, June 07, 1947]

AN ACT TO AMEND SECTION ONE HUNDRED AND FOURTEEN OF ACT NUMBERED FOUR HUNDRED AND NINETY-SIX, ENTITLED "THE LAND REGISTRATION ACT," AS AMENDED, FIXING A NEW SCHEDULE OF FEES FOR CLERKS OF COURTS, SHERIFFS AND REGISTERS OF DEEDS.

Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:

SECTION 1. Section one hundred and fourteen of Act Numbered Four hundred and ninety-six, entitled "The Land Registration Act," as amended, is hereby further amended to read as follows:

"SEC. 114. Fees payable under this Act shall be as follows:

A. Fees payable to the Clerk of Court.—The fees payable to the clerk of court or his deputies shall be as follows:

1. For filing an application for the registration of land, the fees shall be based on the assessed value of the property for the current year, in accordance with the following schedule—

(a) When the value of the property does not exceed two thousand pesos, fifteen pesos for the first five hundred pesos, or fractional part thereof, and five pesos for each additional five hundred pesos, or fractional part thereof.

(b) When the value of the property is more than two thousand pesos but does not exceed ten thousand pesos, thirty-five pesos for the first three thousand pesos, or fractional part thereof, and five pesos for each additional one thousand pesos, or fractional part thereof.

(c) When the value of the property is more than ten thousand pesos but does not exceed one hundred thousand pesos, eighty pesos for the first twenty thousand pesos, or fractional part thereof, and ten pesos for each additional ten thousand pesos, or fractional part thereof.

(d) When the value of the property is more than one hundred thousand pesos but does not exceed five hundred thousand pesos, one hundred eighty pesos for the first one hundred twenty-five thousand pesos, or fractional part thereof, and twenty pesos for each additional twenty-five thousand pesos, or fractional part thereof.

(e) When the value of the property is more than five

hundred thousand pesos, five hundred twenty pesos for the first five hundred fifty thousand pesos, or fractional part thereof, and forty pesos for each additional fifty thousand pesos, or fractional part thereof. If the property has not been assessed for taxation, the fees above prescribed shall be based on the current market value, and the applicant shall file with his application a sworn declaration of three disinterested persons that the value fixed by him is to their knowledge a fair valuation.

2. For filing a petition for review of decree, or other claim adverse to the registered owner, for each petition, six pesos.

3. For filing a petition after the decision has become final, three pesos. If it affects land decreed in more than one case, for each additional case, one peso. If it affects several lots or parcels of land in which the petitioners have no common interests, each of such petitioners shall pay the corresponding fees as if separate petition has been filed by him.

B. Fees payable to the Sheriff.—The sheriff shall collect fees for his services rendered in connection with land registration and cadastral proceedings as follows:

1. For posting notices of initial hearing of land registration cases in conspicuous places on the lands described in the notice, for each parcel of land on which a copy of such notice is posted, besides travel fees, three pesos.

2. For posting notices of initial hearing of cadastral cases in conspicuous places on the lands included in the survey, for each group of one hundred lots on which a copy of the notice is posted, besides travel fees, three pesos.

3. For posting one copy of a notice of initial hearing in a conspicuous place upon the chief municipal building of the city, municipality, or municipal district in which the land or portion thereof lies, besides travel fees, two pesos.

4. For serving notices upon cadastral claimants to appear before the court, travel fees only as provided in the Rules of Court.

5. For all other services not mentioned above, the same fees including travel fees as provided in the Rules of Court for similar services.

C. Fees payable to the Register of Deeds.—The register of deeds shall collect fees for all services rendered by him under this Act in accordance with the following schedule:

1. For the entry of one original certificate of title, and issuing one duplicate certificate, six pesos for the first parcel of land described thereon, and one peso for each additional parcel: *Provided, however,* That in case of certificates of title under the Cadastral Act, the fees for entering one original certificate of title and issuing the owner's duplicate thereof, when the total value of the lots included therein does not exceed five hundred pesos, and irrespective of the number of such lots, shall be one peso for every one hundred

pesos, or fractional part thereof.

2. For each entry in the primary entry book, fifty centavos.

3. For the annotation of an attachment or dissolution thereof, certificate of sale at public auction by virtue of an order of execution, or repurchase of the property so sold, for each parcel of land affected thereby, one peso and fifty centavos.

4. For the annotation of a notice of *lis pendens*, the cancellation thereof, or any annotation in connection there with, for each parcel of land affected thereby, one peso and fifty centavos.

5. For the annotation of an affidavit of consolidation of ownership over a property sold with *pacto de retro* but not redeemed by the vendor within the stipulated time, for each parcel of land affected thereby, one peso and fifty centavos.

6. For the annotation of a release of mortgage or other encumbrance, for each parcel of land, one peso and fifty centavos; but the total amount of fees to be collected shall not exceed the amount of fees paid for the registration of such mortgage or encumbrance.

7. For the annotation of an order of the court for the amendment of a certificate of title, except inclusion of buildings and/or improvements, or any order directing the registration of a document, one peso and fifty centavos for each certificate of title, in addition to the fees prescribed under paragraph sixteen or seventeen, as the case may be, of this subsection, if the same are also due, for the registration of such document.

8. For the annotation of an order of the court for the inclusion of buildings and/or improvements in a certificate of title three pesos for each certificate of title if the buildings or improvements belong to a person other than the registered owner of the land. If they belong to the same registered owner, the fees shall be based on the value of such buildings and improvements in accordance with the schedule prescribed under paragraphs sixteen or seventeen, as the case may be, of this subsection.

9. For registering and filing a power of attorney, letters of administration whether or not accompanied by a copy of the testament, appointment of guardian for a minor or incompetent person, appointment of receiver, trustee, or administrator, articles of incorporation of any corporation, association or partnership, or resolution of its board of directors empowering an officer or member thereof to act behalf of the same five pesos; and for the annotation of such papers on certificates of title when required by existing laws or regulations, one peso for each certificate of title so annotated. For registering and filing an instrument of revocation of any of said papers, one peso; and if annotated on the corresponding certificate of title, one peso for each certificate of title.

10. For the annotation of a notice of tax lien or any description, notice of lost duplicate or copy of a certificate of title, order of the court declaring such duplicate or copy null and void, notice of change of address, or the cancellation of any such annotation, for each certificate of title, one peso.

11. For transferring the memorandum of an encumbrance of any