

RECENT LEGISLATION

The Pasture Land Act

[COMMONWEALTH ACT
No. 452]

Be it enacted by the National Assembly of the Philippines:

SECTION 1. This Act shall apply to all public lands which are adapted to pasture purposes.

SEC. 2. No person shall occupy or use any parcel of public land for pasture purposes without first securing therefor a lease or permit from the Director of Forestry in accordance with the provisions of this Act.

SEC. 3. The Bureau of Forestry shall have jurisdiction and authority over the administration, protection, and management of pasture lands and over the granting of leases or permits for pasture purposes to any citizen of lawful age of the Philippines and any corporation or association of which at least sixty *per centum* of the capital stock belongs wholly to citizens of the Philippines, and which is organized and constituted under the laws of the Philippines for an area of not more than two thousand hectares in accordance with the provisions of this Act. Such leases shall run for a period of not more than twenty-five years, but may be renewed once for another period of not to exceed twenty-five years, in case the lessee shall have made important improvements, which in the discretion of the Secretary of Agriculture and Commerce, justify a renewal.

SEC. 4. The Director of Forestry, with the approval of the Secretary of Agriculture and Commerce, shall promulgate rules and

regulations consistent with this Act, as may be necessary and proper to carry into effect the provisions thereof.

SEC. 5. All parcels of public land applied for grazing purposes shall be investigated by the Bureau of Forestry and if the same are found to be within certified alienable or disposable land suitable for grazing purposes, said Bureau shall request the Bureau of Lands that said parcels of land be reverted to the category of public forest land. Upon such reversion, the Bureau of Forestry shall take proper action on the pasture applications in accordance with the provisions of this Act.

SEC. 6. Upon the approval of this Act, all subsisting pasture leases granted by the Bureau of Lands shall continue in full force and effect until the date of their expiration: *Provided, however,* That upon being advised by the Bureau of Lands of the expiration or cancellation of any pasture lease, the Bureau of Forestry shall request the said Bureau of Lands that the area be reverted to the category of public forest land and thereafter said land shall be subject to disposition for grazing purposes in accordance with the provisions of this Act. All other pasture lease applications which are still pending action in the Bureau of Lands shall be referred to the Bureau of Forestry for appropriate action.

SEC. 7. The annual rental of the land under lease or permit shall not be less than three *per centum* of the appraised or reappraised value of the land and one *per centum*

of that of the improvement thereon, if any, based on the appraisal and reappraisal made by the Director of Forestry with the approval of the Secretary of Agriculture and Commerce. Should the term of the lease be ten years or more, a reappraisal may be made every five years from the date of the approval of the lease or permit. The Director of Forestry may request the assistance of the provincial treasurer or assessor of the province in which the land lies or may appoint a committee for such purpose in the province or in the municipality in which the land lies.

SEC. 8. Before any lease or permit is issued under the provisions of this Act, the applicant may, as guaranty of good faith in filing his application and for the satisfactory compliance with the terms and conditions of the lease or permit and the payment of rental charges due thereon, be required to deposit with the Director of Forestry a cash bond, a Philippine National Bank Bond, or a bond of the Government of the Philippines, or any political subdivision thereof in an amount to be determined by the Director of Forestry with the approval of the Secretary of Agriculture and Commerce. In case the bond required exceeds two hundred pesos, a bond duly executed by a reputed surety company may be accepted, but in such case it shall be increased by not less than twenty-five *per centum* nor more than seventy-five *per centum* in the discretion of the Director of Forestry. This bond may be confiscated by the Government in case of any violation on the part of the lessee or permittee of any of the terms of the lease or permit.

SEC. 9. The Director of Forestry may, with the approval of the Secretary of Agriculture and Com-

merce, grant pasture lease agreements by auction or bidding after proper investigation of the areas applied for has been made, subject to such conditions as may be prescribed by him. All bids must be sealed and addressed to the Director of Forestry and must have enclosed therewith cash or certified check, Treasury warrant, or post-office money order payable to the order of the Director of Forestry, for a sum equivalent to the rental for at least, the first three months of the lease. No bid shall be considered in which the proposed annual rental is less than three *per centum* of the appraised or re-appraised value of the land and one *per centum* of that of the improvements thereon, if any, in conformity with section seven of this Act.

SEC. 10. Upon the final expiration of the lease or permit all immovable and other permanent improvements made by the lessee, his heirs, executors, administrators, successors, or assigns shall become the property of the Government.

SEC. 11. Any person or association of persons occupying or using any part of the public domain for grazing purposes without lease or permit in violation of the provisions of this Act or of any rules or regulations promulgated thereunder shall be liable to the payment of twice the regular rental charges now or hereafter provided for by regulations during such time that the area is illegally used or occupied. For failure to pay the rental charges due within thirty days after they had become due and payable, the respondent shall be penalized by an additional charge of fifty *per centum* of such rental charges.

SEC. 12. This Act shall take effect upon its approval.

Approved, June 8, 1939.

