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DEPARTMENT MEMORANDUM)

CIRCULAR NO. _____)
 Series of 2024)

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dt 5/15/2024

FOR / TO : SENIOR UNDERSECRETARY
 UNDERSECRETARIES
 ASSISTANT SECRETARIES
 REGIONAL DIRECTORS
 BUREAU DIRECTORS
 SERVICE DIRECTORS
 HEADS OF UPMOs
 DISTRICT ENGINEERS
 HEADS OF ATTACHED AGENCIES
 OTHERS CONCERNED
 This Department

For information and guidance, attached is a copy of the **Administrative Order No. 21** dated April 30, 2024 signed by Executive Secretary Lucas P. Bersamin, with the subject: **"ENSURING OPTIMAL USE OF GOVERNMENT LANDS TO SUPPORT NATIONAL DEVELOPMENT GOALS AND CREATING AN INTER-AGENCY COORDINATING COUNCIL FOR THE CONSOLIDATION OF A MASTER LIST OF ALL GOVERNMENT LANDS"**.

A copy of the said Administrative Order may also be downloaded from the DPWH website: <http://dpwhweb>. If an office cannot access the DPWH website, a hard copy may be obtained from the Records Management Division, HRAS, upon request.

For dissemination to all concerned.

Atty. MICHAEL S. VILAFRANCA, CESO III
 Officer-in-Charge, Office of the Assistant Secretary for Support Services

Encl: As stated

cc: Office of the Secretary

10.1.4 FJED/CDP/GME





MALACAÑAN PALACE
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 21

ENSURING OPTIMAL USE OF GOVERNMENT LANDS TO SUPPORT NATIONAL DEVELOPMENT GOALS AND CREATING AN INTER-AGENCY COORDINATING COUNCIL FOR THE CONSOLIDATION OF A MASTER LIST OF ALL GOVERNMENT LANDS

WHEREAS, Section 14, Chapter 4, Title I, Book III of Executive Order (EO) No. 292 or the "Administrative Code of 1987" vests in the President the power to reserve for public use any of the lands of the public domain and patrimonial lands, the use of which is not otherwise directed by law;

WHEREAS, Section 24 of Republic Act (RA) No. 11201 or the "Department of Human Settlements and Urban Development (DHSUD) Act" directs the DHSUD, Department of Environment and Natural Resources (DENR), and Department of Agrarian Reform (DAR), among others, to jointly identify government lands suitable for housing and rural development;

WHEREAS, Section 8 of RA No. 7279 or the "Urban Development and Housing Act of 1992" mandates all local government units (LGU) to identify lands for socialized housing and resettlement areas;

WHEREAS, under Section 2 of Executive Order (EO) No. 75 (s. 2019), all departments, bureaus, offices, and instrumentalities of the government shall identify their lands devoted to or suitable for agriculture and no longer actually, directly and exclusively used or necessary for the purpose for which they have been reserved or acquired, and thereafter submit a list thereof to the DAR;

WHEREAS, Section 2 of EO No. 34 (s. 2023) directs the DHSUD to identify available public lands and recommend to the President, through the DENR, the issuance of Proclamations declaring said public lands as alienable and disposable, and reserving the same for housing and human settlement purposes;

WHEREAS, one (1) of the key strategies identified in the Philippine Development Plan 2023-2028 to establish livable communities is the creation of a database containing a complete inventory of idle government lands;

THE PRESIDENT OF THE PHILIPPINES

WHEREAS, to ensure the efficient and effective allocation and utilization of land resources for the country's national development goals, it is necessary to consolidate a comprehensive list of all government lands; and

WHEREAS, Section 17, Article VII of the Constitution vests in the President the power of control over all executive departments, bureaus and offices, and the mandate to ensure the faithful execution of laws;

NOW, THEREFORE, I, FERDINAND R. MARCOS, JR., President of the Philippines, by virtue of the powers vested in me by the Constitution and existing laws, do hereby order:

Section 1. Government Lands. For the purposes of this Order, government lands shall refer to all lands over which the National Government and/or any of its agencies, departments, instrumentalities, bureaus, and offices have an ownership claim or interest, such as, but not limited to: (a) idle or abandoned lands or those that are no longer used for the purpose for which they have been reserved or acquired; (b) lands that are already titled or have yet to be titled under the name of the National Government and/or any of its agencies, departments, instrumentalities, bureaus, and offices; and (c) such other lands that may be prescribed by the Coordinating Council under Section 2 hereof to be included in the agency submissions.

Section 2. Creation of an Inter-Agency Coordinating Council. There is hereby created an Inter-Agency Coordinating Council tasked to create a Master List of all government lands ("Coordinating Council").

The Coordinating Council shall be composed of the heads of the following government agencies:

- Co-Chairpersons : DENR and DHSUD
- Vice-Chairperson : DAR
- Members : Office of the Executive Secretary;
Department of the Interior and Local Government;
Department of Agriculture;
Office of the Solicitor General;
Department of Justice;
Land Registration Authority;
Commission on Higher Education; and
Department of Information and Communications Technology (DICT).

The DENR - Land Management Bureau (LMB) shall serve as the Secretariat of the Coordinating Council, and shall provide administrative and technical support to the Coordinating Council. The Secretariat shall likewise serve as the repository of all documents and information relative to the Master List.

The Co-Chairpersons, Vice-Chairperson, and Members of the Coordinating Council may designate their respective alternates, with ranks not lower than Assistant Secretary or its equivalent, who are fully authorized to decide for or on their behalf.

Section 3. Duties and Functions. Subject to existing laws, rules, and regulations, the Coordinating Council shall have the following duties and functions:

- a. Prepare and transmit to the President a digital Master List of all government lands within 180 days from the effectivity of the Implementing Guidelines under Section 6 hereof. The Master List may include the following details: (i) location of land; (ii) total area; (iii) property classification; (iv) current actual use; and (v) such other available relevant information and documents, as may be deemed necessary and required by the Coordinating Council. The Coordinating Council shall update the Master List as may be necessary;
- b. Ensure the timely submission of land inventories by government offices pursuant to Section 4 hereof. In this regard, the Coordinating Council shall coordinate and consult with such other concerned agencies, including the National Economic and Development Authority, Metro Manila Development Authority, National Mapping and Resource Information Authority, Commission on Audit, and existing government bodies with functions related to land identification and inventory;
- c. Ensure the integrity of the data in the Master List, as well as its completeness and accuracy;
- d. Convene and reorganize technical working groups, as may be necessary, to ensure the efficient and effective implementation of this Order;
- e. In coordination with the DICT, study, formulate, and implement a mechanism for the digitalization of the Master List; and
- f. Perform such other functions as may be directed by the President and/or the Executive Secretary.

Section 4. Mandatory Submission of Inventory. Within 60 days from the effectivity of the Implementing Guidelines of this Order, all national government agencies and instrumentalities, including government-owned or -controlled corporations (GOCCs) and existing government bodies with functions related to land identification and inventory, are hereby directed to prepare and submit to the Coordinating Council, through the Secretariat, a complete inventory of all their lands or inventories in their possession, as may be applicable, subject to existing laws, rules and regulations. Further, all national government agencies and instrumentalities shall extend full support and cooperation to the Coordinating Council in the preparation of the Master List.

The Coordinating Council, through the DHSUD and DENR - LMB, shall coordinate with LGUs for the submission of their land inventories in accordance with RA No. 7279.

Failure to comply with the above directives may be a ground for administrative and disciplinary sanctions against any erring public officer or employee as provided under existing laws or regulations.

Section 5. Funding. The funding requirements for the implementation of this Order shall be charged against the existing and available appropriations of the member-agencies of the Coordinating Council, subject to pertinent budgeting, accounting, and auditing laws, rules and regulations. Thereafter, the funding requirements for the purpose shall be included in the budget proposals of the member-agencies of the Coordinating Council, subject to the usual budget preparation process.

Section 6. Implementing Guidelines. Within 15 days from the effectivity of this Order, the Coordinating Council shall formulate the guidelines necessary to effectively implement this Order, which shall include, among others, the format of the Master List, and the process and mechanism for reporting and submission of the respective inventories of government offices and existing government bodies with functions related to land identification and inventory.

Section 7. Separability. If any section or part of this Order is declared unconstitutional or invalid, the other sections or provisions not otherwise affected shall remain in full force and effect.

Section 8. Effectivity. This Order shall take effect immediately upon its publication in the Official Gazette or a newspaper of general circulation.

DONE, in the City of Manila, this 30th day of April, in the year of Our Lord, Two Thousand and Twenty-Four.

By the President:


LUCAS P. BERSAMIN
Executive Secretary




