

**DENR Administrative Order  
No. 38  
March 28, 1988**

**SUBJECT : Guidelines in the Processing of Free  
Patent Applications After December 31, 1987**

In view of the expiration of Presidential Decree No. 1073, dated January 25, 1987, which extended the period of filing applications for administrative legalization (free patent) and judicial confirmation of imperfect and incomplete titles to alienable and disposable lands of the public domain under Chapter VII and Chapter VIII of Commonwealth Act No. 141, as amended, up to December 31, 1987, and in order to attain uniformity in our action in the processing of free patent applications, the following information/guidelines are hereby issued for the guidance of all concerned:

1. After December 31, 1987, all Natural Resources District Offices are hereby enjoined to desist from accepting free patent applications, there being no more legal basis to do so on account of the expiration of the period provided in PD 1073;
2. All free patent applications filed on or before December 31, 1987 shall continue to be processed and corresponding patent issued thereafter after satisfactory proof that the following conditions are present:
  - a. The application and requisite documents like joint affidavit of two disinterested persons, applicant's sworn statement, notice of filing of application for free patent, investigation report and copy of the approved survey plan of land if not covered by PLS of cadastral survey.
  - b. Applicants have satisfactorily complied with other requirement of law leading to the issuance of patent in his favor, such as the 1) submission of a certification from the Clerk of Court concerned that the land sought to be patented is not involved in a pending land registration or civil case and 2) certification from the National Land Titles and Deeds Registration Authority to the effect that no decree or title has as yet been issued

over the land subject of the application.

3. Those accepted after December 31, 1987 should be placed on hold subject to whatever Congress will later on enact. Proper advise to applicant should be issued.

Strict compliance herewith is enjoined.

**(Sgd.) FULGENCIO S. FACTORAN, JR.**  
Secretary