

**Proclamation
No. 965
February 12, 1997**

SUBJECT : Supplementing Proclamation No. 295, Dated 9 November 1993, Entitled “Excluding from the Operations of Executive Order No. 63, Dated 25 June 1914 and Proclamation No. 391, Dated 13 March 1939, which Established the Mineral Land Reservation in the Province of Surigao, Island of Mindanao Certain Alienable and Disposable Parcels of Land Embraced therein, and Declaring the same Open to Disposition Under the Comprehensive Agrarian Reform Program of the Department of Agrarian Reform and Other Pertinent Laws Relative to Titling of Lands Suitable for Agriculture”, by Including Certain Parcels of Land Further Identified as Suitable for Agriculture in the Municipalities of Basilisa, Tubajon, Loreto, Island of Dinagat and Municipality of Claver, all Within the Province of Surigao del Norte.

WHEREAS, Proclamation No. 295 dated 9 November 1993, segregated and released portions of land within Surigao Mineral Reservation for distribution to qualified beneficiaries under the Comprehensive Agrarian Reform Program of the Department of Agrarian Reform;

WHEREAS, the Secretaries of the Environment and Natural Resources and the Department of Agrarian Reform have entered into a Memorandum of Agreement to conduct geological surveys for the

determination of lands classified as alienable and disposable and those suitable for residential and/or agricultural purposes:

WHEREAS, per the findings of the DAR-DENR geological and field survey team, there exist portions of the Surigao Mineral Reservation which have low geological potential for minerals and could be possibly reclassified as agricultural areas which were not included in Presidential Proclamation No. 295;

WHEREAS, the residents of the parcels of lands covered by this amended proclamation are clamoring for the inclusion by the government of said parcels under the agrarian reform program;

WHEREAS, Executive Order No. 448, as amended by Executive Order No. 506 of 1992 provides that “except national parks and other protected areas, all lands or portions of the public domain reserved by virtue of proclamation or law for specific purposes or uses by departments, bureaus and agencies of the government, which are suitable for agriculture and no longer actually, directly and exclusively used or necessary for the purpose for which they have been reserved shall be segregated from the reservations and transferred to the Department of Agrarian Reform for distribution to qualified beneficiaries under the Comprehensive Agrarian Reform Program”.

WHEREAS, Section 7 of R.A. No. 7942, series of 1995, otherwise known as the Philippine Mining Act of 1995 provides that the Secretary shall periodically review existing mineral reservations for the purpose of determining whether their continued existence is consistent with the national interest, and upon his recommendation, the President may, by proclamation, alter or modify the boundaries thereof or revert the same to the public domain without prejudice to prior existing rights.

NOW, THEREFORE, upon the recommendation of the Secretaries of Environment and Natural Resources and Agrarian Reform, and pursuant to the provisions of Section 7 of Republic No. 7942, otherwise known as the Philippine Mining Act of 1995, and by virtue of the powers vested in me by law, I, FIDEL V. RAMOS, President of the Republic of the Philippines, do hereby supplement Proclamation 295 dated 9 November 1993 so as to include certain parcels of land suitable for agricultural purposes located in the municipalities of Basilisa, Tubajon, and Loreto, Island of Dinagat and the municipality of Claver, all in the Province of Surigao del Norte, covering an aggregate area of two thousand six hundred forty three (2,643.3278) hectares, more or less, which parcels of land are more particularly described as follows, to wit:

(technical description omitted)

The following areas are excluded from the coverage of this Proclamation:

1. All areas within the proclamation which fall under the classification of timberland, forestland or unclassified public land or those covered by the National Integrated Protected Areas System (NIPAS);
2. All rivers and creeks; and
3. All easements requirements pursuant to the provisions of P.D. No. 705, as amended, otherwise known as the Revised Forestry Code of the Philippines, P.D. 1067 otherwise as the Water Code of the Philippines, Republic Act No. 1273 otherwise known as an Act to Amend Section 90 of C.A. 141, known as the Public Land Act and other pertinent rules and regulations.

These areas are hereby reserve for environmental protection purposes.

The Department of Environment and Natural Resources shall retain jurisdiction over the portions covered by public land applications. Vested rights in the areas subject of this Proclamation shall be respected.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the Republic of the Philippines to be affixed.

(Sgd.) FIDEL V. RAMOS
President

By the President:

(Sgd.) RUBEN D. TORRES
Executive Secretary