

JOINT DENR-DOTr ADMINISTRATIVE ORDER
No. 2018 – 01

SEP 28 2018

SUBJECT: GUIDELINES ON THE REGISTRATION OF LAND CONVEYANCES CONFISCATED PURSUANT TO SECTION 77-A OF PRESIDENTIAL DECREE NO. 705, AS AMENDED

Pursuant to Section 77-A of Presidential Decree No. 705, as amended, otherwise known as the "*Revised Forestry Code of the Philippines*", which provides for the authority of the Department of Environment and Natural Resources (DENR) to order the confiscation of all conveyances used in the violation of the Revised Forestry Code of the Philippines or other forest laws, rules, and regulations and to dispose of the same in accordance with pertinent laws, rules, and regulations; and Republic Act No. 4136, otherwise known as the "*Land Transportation and Traffic Code*", which control the registration and operation of motor vehicles in the country; the following guidelines on the registration of confiscated land conveyances in favor of the DENR are hereby promulgated.

Section 1. Conveyance. For the purpose of this Order, the term conveyance shall mean any type or class of motorized vehicle or craft used for transportation on land, which was used in taking and/or maintaining temporary or permanent possession or control, gathering, collection, processing, disposing of, or otherwise transporting, moving or transferring forest products illegally.

Sec. 2. Objective

This Order aims to provide a system for the registration and/or transfer of ownership of confiscated or forfeited land conveyances that were used in violation of the Revised Forestry Code of the Philippines, or other forest laws, rules, and regulations.

Sec. 3. Scope and Coverage

This Order shall cover all motorized land conveyance confiscated by or forfeited in favor of the DENR pursuant to Section 77-A of Presidential Decree No. 705, as amended. *Provided*, that the confiscation or forfeiture is pursuant to a final and executory order or decision issued by the Department of Environment and Natural Resources, in the exercise of its quasi-judicial functions, or by any court of law.

Sec. 4. Registration Process

4.1. Registered Conveyances for Transfer of Ownership

- a. The DENR shall apply for the registration and transfer of ownership at the LTO District Office nearest to the DENR field office having jurisdiction over the confiscated or forfeited conveyances;
- b. The DENR shall submit the Duplicate Copy or Certified True Copy of the Final Order or Decision/ Certificate of Finality of Order or Decision and Writ of Execution attesting to the confiscation or forfeiture of the subject conveyance in addition to the following documentary requirements for transfer of ownership:
 1. Original copy of the Certificate of Registration or Certificate of Registration Encumbered and the latest Official Receipt of the subject conveyance. *In the absence thereof*, a certification from the DENR that the original copy was not turned over at the time of the confiscation;
 2. Cancellation of the Chattel Mortgage and Official Receipt of payment from the Register of Deeds, if the conveyance is subject of such;
 3. Confirmation of the Certificate of Registration and Official Receipt when the registering district office is different from the district office that will issue the new Certificate of Registration and Official Receipt;
 4. Motor Vehicle Clearance Certificate from the Highway Patrol Group of the Philippine National police;
 5. Approved Motor Vehicle Inspection Report;
 6. Appropriate Insurance Certificate of Cover; and
 7. Certificate of Emission Compliance.
- c. The DENR shall cause the publication of the approved application for registration in any newspaper of general circulation once a week for three (3) consecutive weeks to serve as notice to all persons who may have claims or interests over the conveyance. If no adverse claim is filed within thirty (30) days from the date of the last publication, all adverse claims are barred and the conveyance and/or accessories shall be accepted for registration;
- d. The concerned LTO District Office will then register and issue the corresponding Certificate of Registration and Official Receipt, plates, and stickers in favor of DENR.

4.2. Unregistered Conveyances

- a. The DENR shall file an application for registration with the concerned LTO District Office nearest to the DENR Field Office having jurisdiction over the confiscated or forfeited conveyance;
- b. The DENR shall submit the Duplicate Copy or Certified True Copy of the Final Order or Decision, Certificate of Finality of Order or Decision and Writ of Execution attesting to the confiscation or forfeiture of the subject conveyance in addition to the following documentary requirements for the initial registration of the conveyance:
 1. Certificate from the Manufacturers, Assemblers, Importers and Dealers Accreditation Committee;
 2. Certificate of Payment from the Bureau of Customs, Bill of Lading, Packing List, Import Entry Declaration, Commercial Invoice or Certificate of Title from the country of origin, if the conveyance is imported;
 3. Certificate of Stock Reported;
 4. Motor Vehicle Clearance Certificate from the Highway Patrol Group of the Philippine National Police;
 5. Approved Motor Vehicle Inspection Report;
 6. Appropriate Insurance Certificate of Cover; and
 7. Certificate of Emission Compliance.
- c. The DENR shall cause the publication of the approved application for registration in any newspaper of general circulation once a week for three (3) consecutive weeks to serve as notice to all persons who may have claims or interests over the conveyance. If no adverse claim is filed within thirty (30) days from the date of the last publication, all adverse claims are barred and the conveyance and/or accessories shall be accepted for registration;
- d. The LTO District Office will issue the corresponding Certificate of Registration and Official Receipt, plates, and stickers in favor of DENR.

Sec. 5. Monitoring and Evaluation.

The Office of the Undersecretary for Field Operations of the DENR shall cause the development of a database of all confiscated or forfeited motorized land conveyances in favor of the DENR and those that have been registered or transferred to the name of the DENR. The Regional Offices of the DENR shall use and maintain said database for monitoring and assessment of confiscated conveyances within its territorial jurisdiction.

The Department of Environment and Natural Resources and the Department of Transportation shall jointly review and amend this Order accordingly every five (5) years to remain in accord with existing laws, rules, and regulations.

Sec. 6. Control Mechanism

For the purpose of uniformity and control, the conveyance shall be registered in the name of the DENR and cannot be sold or transferred to any person except:

- a. If the transfer of ownership is to another government agency and the use of the conveyance is for public purpose; and
- b. If the conveyance is subject to a sale at a public auction

All Regional Offices must report all apprehended and seized conveyance pending administrative adjudication pursuant to DENR Administrative Order No. 1997-32 to the LTO for the prevention of reusing and counterfeiting plate numbers.

Sec. 7. Separability Clause

If any provision of this Order is declared unconstitutional, the other provisions not declared as such shall remain in full force and effect.

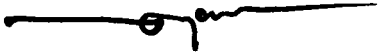
Sec. 8. Repealing Clause

All Orders, Circulars, Memoranda and other issuances inconsistent with this Order are hereby repealed or modified, accordingly.

Sec. 9. Effectivity


This Order shall take effect fifteen (15) days from the date of its publication in at least two (2) newspapers of general circulation and upon acknowledgment of the Office of the National Administrative Register (ONAR).

Approved,


HON. ROY A. CIMATU
Secretary
Department of Environment &
Natural Resources



SENRO54245


for: **HON. ARTHUR P. TUGADE**
Secretary *RRV*
Department of Transportation

OIC USEC. RUBEN REINOSO
as per S.O No. 2018-273
effective Sept. 02 to 08, 2018

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Oct. 09, 2018
ACKNOWLEDGEMENT: U.P. Law Center
OCT. 10, 2018

Registration Process for REGISTERED CONVEYANCES for Transfer of Ownership

Application for Registration

DENR to apply at the LTO District Office nearest to the DENR Field Office having jurisdiction over confiscated conveyances



Submission of Documentary Requirements

DENR shall also submit the requirements as per **Section 4.1.b.**, as attachment to the application.



Publication of approved application

Once a week for three consecutive weeks in any newspaper of general circulation.



Issuance of Registration

Registration Process for UNREGISTERED CONVEYANCES

Application for Registration

DENR to apply at the LTO District Office nearest to the DENR Field Office having jurisdiction over confiscated conveyances



Submission of Documentary Requirements

DENR shall also submit the requirements as per **Section 4.2.b.**, as attachment to the application.



Publication of approved application

Once a week for three consecutive weeks in any newspaper of general circulation.



Issuance of Registration