



**PAMBANSANG PUNONGHIMPILAN TANOD BAYBAYIN NG PILIPINAS**  
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1018 Manila

NHQ-PCG/CGREMS

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**STANDARD OPERATING PROCEDURE  
NUMBER 16-23**

**MANAGEMENT OF PCG REAL ESTATE**

**I. AUTHORITY:**

Republic Act No. 9993 and its Implementing Rules and Regulations (IRR)

**II. REFERENCES:**

- A. Commonwealth Act No. 141
- B. Republic Act No. 10752 and its Implementing Rules and Regulations (IRR)
- C. Republic Act No. 6657
- D. Republic Act No. 7227
- E. Republic Act No. 7279
- F. Republic Act No. 10349
- G. Republic Act No. 8974
- H. Presidential Decree No. 1529
- I. Republic Act No. 9184
- J. Executive Order No. 292
- K. Executive Order No. 423
- L. Executive Order No. 152 dated 10 Dec 02
- M. Executive Order No. 153 dated 10 Dec 02
- N. DENR Memorandum Circular No. 02 dated 08 Jan 1997
- O. DENR Memorandum Circular No. 06 dated 10 Mar 2000
- P. DENR Memorandum Circular No. 16 dated 08 Aug 2000
- Q. DENR Administrative Order No. 2010-12
- R. DENR Administrative Order No. 2021-38 dated 09 December 2021
- S. DENR Administrative Order No. 2016-21 dated 30 June 2016
- T. DENR Administrative Order No. 22 dated 30 June 1994
- U. DAO 2016-21
- V. DPWH Department Order No. 43 Series of 2020 dated 29 May 2020
- W. PRA Administrative Order No. 2019-4

**III. PURPOSE:**

This circular prescribes the policies, guidelines and procedures in the acquisition and administration of PCG owned and possessed lands and administer light house reservations. It includes the mode of acquisition, administration, utilization, management, monitoring of all land owned, controlled or administered by the PCG and its disposition to include the accountability and responsibility of the administrator.

Likewise, Coast Guard Real Estate Management Service (CGREMS) to properly manage, monitor and inventory all PCG real estate as basis for strategic development of the PCG.

#### IV. SCOPE AND APPLICABILITY:

This circular is applicable to all PCG units acquiring and managing existing lots for the benefit of the PCG.

#### V. DEFINITION OF TERMS:

- a. **Access** - permission, liberty, or ability to enter, approach, or pass to and from a place.
- b. **Acquisition** - process of acquiring land through various means mentioned in Section 4 in this SOP
- c. **Administration** - process or activity of managing the land of the PCG with the attendant accountability and responsibility.
- d. **Administrator** - District Commanders/Major Unit Commanders or their authorized representatives and other Unit Commanders designated by higher headquarters to administer the PCG land on behalf of the Chief of Staff, PCG; the person tasked to advise the CPCG on the state of these land and to take measures to ensure its security and development.
- e. **Administrative Order** - is a legal document issued by an administrative agency directing an individual, business, or other entity to take corrective action or refrain from an activity.
- f. **Assessor**- someone whose job is to judge or decide the amount, value, quality or importance of something.
- g. **Attorney-in-Fact** - any person who is granted power of attorney to act for and in behalf of a principal.
- h. **Books of Account** - refers to the records or books in which all financial information and transaction of the PCG real estate is recorded and maintained.
- i. **Bookkeeping** - recording of financial information and transactions, and is part of the process of accounting of the PCG real estate. Transactions include purchases, sales, receipts, and payments by an individual person or an organization/corporation.
- j. **Delegation of Authority** - the division of labor and decision-making responsibility to an individual that reports to a leader or manager.
- k. **Deed of Donation** - transfers property from the owner/donor to another person/donee by the way of donation. The Deed of Donation is usually executed for the love, gratuity and affection the donor has for the donee.
- l. **Deed of Usufruct** - an authority of ownership wherein one was given the legal right to use someone else's property temporarily and to keep any profit made from it.
- m. **Deed of Exchange** - a contract whereby one person transfers the ownership of non-fungible things to another with the obligation on the part of the latter to give things of the same kind, quantity, and quality.
- n. **Donation** - an act of liberality whereby a person gratuitously disposes a thing or right (land) in favor of another who accepts it.
- o. **Donee** - a recipient of a thing or a right (land) on the liberality of another.
- p. **Donor** - a person who gratuitously disposes a thing or a right (land) to another who accepts it.



- q. **Donor's Tax** - is a tax on a donation or gift, and is imposed on the gratuitous transfer of property between two or more persons who are living at the time of transfer.
- r. **Establishment of Ownership** - involves the completeness of documents in all agreements and the registration of land through titling in the name of the PCG in order to strengthen and secure PCG's rights over the land.
- s. **Executive Order/s** – is the declaration by the President or a Governor which has the force of law usually based on existing statutory powers. They do not require any action by the Congress or state legislature to take effect and the legislative cannot overturn them.
- t. **Expropriation** – Exists when a private land is taken for public use upon payment of just compensation property owner refuses or fails to accept the not feasible.
- u. **Informal Settlers** – illegal or unauthorized occupants on a land.
- v. **Judicial Order** - an order issued by a magistrate sitting in the judicial branch of local, state or government.
- w. **Judicial Reconstitution** - is a court case which shall be filed in the proper Regional Trial Court by the registered owner, his assigns, or any person having an interest in the property.
- x. **Land Swapping** – process of exchanging land between two parties. It is an act trading goods or services between two parties without the use of money; refers to the process of land acquisition by exchanging land for another piece of land or equal value through a deed, contract or agreement of exchange.
- y. **Lease** - a consensual, bilateral and cumulative contract by which individual or an entity/ies binds himself/herself to grant the temporary use of a land or portion of the land to another who undertakes to pay some rent, compensation or price.
- z. **Lessee** - an individual or an entity/ies to whom the enjoyment or use of a thing (and) and who delegates upon himself/herself the payment for some rent, compensation or price.
- aa. **Lessor** - an individual or an entity/ies who binds himself/herself temporarily for the use of a thing or render service to another for a price, rent and compensation.
- bb. **Lis Pendens** - is an official notice to the public that a lawsuit involving a claim on a property has been filed.
- cc. **Management** - part of administration that is concerned with the procedures, techniques, and processes employed in an operation, which consists of those continuing actions of planning, organizing, directing, coordinating, controlling," and evaluating.
- dd. **Master Development Plan (MDP)** – a comprehensive document for the development of a particular base, camp, and station. Its preparation entails detailed land development studies and tests, environmental impact study, site planning and the detailed architectural and engineering design of facilities to be developed.
- ee. **Memorandum of Agreement (MOA)** - a written agreement between two (2) or more entities/group or individuals with specific terms and conditions in order to pursue a common line of commitment.
- ff. **Memorandum of Understanding (MOU)** - a written agreement between two (2) or more entities/group or individual that expresses a convergence will between the parties, indicating an intended common line of action, rather than a legal commitment. It is more formal alternative to gentleman's/ladies' agreement but generally lacks the bind power of a contract.



- gg. **Light House Reservation** - any land that has been proclaimed/reserved for navigational purposes by virtue of a Presidential Proclamation or Executive Order.
- hh. **Negotiated Sale** - a method of disposition/divestment between two parties (government and specific private party/ies). Negotiated sales usually come about from unsolicited offers by logical buyers,
  - ii. **Original Certificate of Title (OCT)** - is issued for newly titled land.
- jj. **Original Registration**- is when an OCT has been issued to an owner by the Register of Deeds for the first time.
- kk. **Patrimonial Property** - are lands that are no longer intended for public use or for public service. These properties still provide value in which the benefits can be realized.
- ll. **PCG Units** - pertain to Coast Guard Major Commands, Districts and Units.
- mm. **Petition** - a formal written request, typically one signed by many people, appealing to authority with respect to a particular cause.
- nn. **Power of Attorney** - a legal document delegating a person or agent the power to perform acts or deeds for and in behalf of the principal as specified in the document.
- oo. **Presidential Proclamation** - acts of the President fixing a date or declaring a status or condition of public moment or interest. Upon the existence which the operation of a specific law or regulation is made to depend shall be promulgated in proclamations, which shall have the force of an Executive Order (EO).
- pp. **Philippine Reclamation Authority (PRA)** - regulate reclamation, create environmentally sustainable reclaimed land, promote coastal resilience, and develop government properties to advance the country's development goals.
- qq. **Public Domain** - tracts of land that belongs to the state.
- rr. **Real Estate** - refers to the land and all those items that are attached to it. It is the physical, tangible entity, together with all the additions of improvements on, above or below the ground.
- ss. **Real Estate Appraiser** - one who provides unbiased and impartial opinions about the value of a property.
- tt. **Real Properties** - means the land plus anything growing on it, attached to it or erected on it including man-made objects such as buildings, structures, roads, sewers, and fences but excluding anything that may be removed from the land without injury to the land.
- uu. **Right-of-Way** - a part or the entirety of a property, site or location, with defined physical boundaries used or required by national government project.
- vv. **Special Patent** - a public instrument issued by the government confirming the grant by the state of the ownership over a parcel of agricultural land in favor of the grantee by virtue of a Law or a Proclamation by the President of the Philippines for the purposes authorized by Law.
- ww. **Subsequent Registration** - is when the originally issued land title is cancelled and replaced by another title.
- xx. **Transfer Certificate of Title (TCT)** - is issued in case of mere transfer of previously titled land.
- yy. **Usufruct** - a legal right accorded to a person or party that confers the temporary right to use or derive income or benefit from someone else's property.
- zz. **Vendee** - the person to whom the ownership of a determinate thing is transferred and obligates upon himself/herself to pay or its equivalent.



aaa. **Vendor** - an individual or an entity who offers something for sale; the seller, especially of a property.

## **VI. GENERAL GUIDELINES:**

- A. CGREMS shall be the repository of all original document of PCG real estate with appropriate acknowledgement receipt;
- B. CGREMS shall have the inventories of all PCG real estate;
- C. All lot/land acquisition thru lease, MOA, DOD, DOU, permit to occupy and other mode of acquisition/deed of conveyance shall be forwarded by the administrator to CGREMS for screening, evaluation, legal review and issuance of Delegation of Authority (See Annex A) of the Commandant, Philippine Coast Guard (CPCG) for proper disposition;
- D. All concerned units shall be responsible for processing the title of their acquired lot intended for PCG with the assistance of CGREMS/ designated REMS as necessary;
- E. Designated REMS personnel of unit shall submit progress report of all processing of PCG real estate.
- F. All processing of titling shall be processed under the jurisdiction of concerned administrator.
- G. CGREMS shall conduct property appraisal to all PCG units annually; and
- H. CGREMS shall conduct TI&E in all PCG Units annually.

## **VII. SPECIFIC GUIDELINES**

### **A. Owners Certificate of Title/Transfer Certificate of Title**

- 1. Administrator shall ensure registration of the OCT/TCT to the Registry of Deeds of municipality having jurisdiction of the lot; and
- 2. All original copy of OCT/TCT shall be surrendered to CGREMS for filing, inventory, monitoring and accounting.

### **B. Special Patent**

- 1. Administrator shall process and ensure registration of the Special Patent to the registry of deeds of municipality having jurisdiction of the lot; and
- 2. All original copy of Special Patent shall be surrendered to CGREMS for filing, inventory, monitoring and accounting.

### **C. Tax Declaration**

- 1. All donated lots with Tax Declaration of the donor shall be transferred under the name of PCG;
- 2. All lots occupied by PCG with tax declaration shall be change under the name of PCG;
- 3. Administrator must process transfer of tax declaration under the name of the PCG;
- 4. Administrator must ensure processing of titling of lot of PCG.

### **D. Executive Order**

Administrator must see to it that all lot/land covered under an Executive Order shall be titled and registered under Land Registration Administration-Registry of Deeds (LRA-RoD).

### **E. Presidential Proclamation**

Administrator must see to it that all lot/land covered under a Presidential Proclamation shall be titled and registered under Land Registration Administration-Registry of Deeds (LRA-RoD).

F. Deed of Donation

1. All deed of donation shall undergo screening by CGREMS (with legal review) prior submission to CPCG for approval and signing;
2. A delegation of authority shall be requested to CGREMS for approval of CPCG in case the unit commander will be the signing authority;
3. No donation shall be accepted without the approval of CPCG as endorsed by Director, CGREMS;
4. Donation shall be subject to the rules under the New Civil Code (NCC) and related laws.

G. Negotiated Sale

1. All negotiated sale shall undergo screening by CGREMS prior submission to CPCG for approval;
2. A delegation of authority shall be requested to CGREMS for approval of CPCG in case the unit commander will be the signing authority;
3. No negotiated sale transaction shall undergo without the approval of CPCG as endorsed by Director, CGREMS;
4. With regard to the taxes and fees relative to the transfer of title of the property to the Republic of the Philippines through negotiated sale, the PCG shall pay, for the account of the seller, the documentary stamp tax, transfer tax and registration fees, while the owner shall pay the capital gains tax and any unpaid real property tax; and
5. If requested by the property owner, the PCG shall remit to the LGU concerned the amount corresponding to any unpaid real property tax, subject to the deduction of this amount from the total negotiated price. Provided, however, that said amount is not more than the negotiated price.

H. Deed of Usufruct

1. All deed of usufruct shall undergo screening by CGREMS (with legal review) prior submission to CPCG for approval;
2. A delegation of authority shall be requested to CGREMS for approval of CPCG in case the unit commander will be the signing authority;
3. No deed of usufruct shall be accepted without the approval of CPCG as endorsed by Director, CGREMS; and
4. Usufruct shall be subject to the rules under the NCC and related laws.

I. Memorandum of Agreement (MOA)

1. All MOA shall undergo screening by CGREMS (with legal review) prior to the signing of the MOA; and
2. Original copy of MOA shall be forwarded to GCREMS by the administrator for updating of records and inventory purposes.

J. Resolution

A copy of resolution shall be forwarded to CGREMS by the administrator for updating of records and inventory purposes.



#### K. Lease

1. CGREMS shall be informed by the Deputy Chief of Coast Guard Staff for Logistics (CG-4) of all contract of lease for inventory of all real estate property; and
2. The lease of property shall be in accordance with Implementing Guidelines for Lease of Privately-Owned real estate and venue of R.A. 9184 and other related laws.

#### L. Permit to Occupy

Administration shall ensure transmittal of copy of permit to occupy to CGREMS for updating of records and inventory purposes.

#### M. Tax Exemption

All unpaid taxes on real estates shall be requested for tax exemption.

### VIII. PROCEDURES PRIOR TO ACQUISITION:

#### A. Registered Property – The major service/unit planning to acquire a registered property for PCG use shall determine the existence of the following documents:

1. Original/Transfer Certificate of Title – The unit or office charged with the administration of real properties in their respective commands will verify the existence of an Owner's Duplicate Copy with the Register of Deeds of the province where the property is situated. A Certified Copy of the Owner's Duplicate Copy shall be secured from the Register of Deeds to include liens, encumbrances or may be included in the Definition of Terms lis pendens;
2. Tax Declaration and Real Tax Payment – The Tax Declaration of the land planned to be acquired shall be verified with the Provincial/City Assessors Office. Proof of tax payment or tax delinquency shall be secured from the local (City/Municipal) Treasurer's Office.
3. Lot Survey Plan – an approved lot survey plan shall be acquired from the owner or from the Land Management Bureau. Actual inspection of the site shall be undertaken to include location of monuments and the general condition of the area shall be reported; and
4. Tenants – The presence of tenants/squatters in the land to be acquired shall be reflected in the report. An affidavit from the owner to the effect that the land shall be free from squatters/tenants shall be secured.

#### B. Unregistered Property

1. Documents of Ownership – The unit charged with the administration of the land in the major services or separate units shall investigate the supporting documents to show ownership of the land. Verification shall be made with the Registry of Deeds of the province where the property is situated whether the land is registered in the Book of Unregistered Land.
2. Tax Declaration – The tax declaration shall be scrutinized. The original copy of the tax declaration shall be verified with Regional Trial Court (RTC) and certificate for tax payment shall be obtained from the Municipal Treasurer of the Municipality where the land is situated.
3. Lot Survey Plan – An approved survey plan shall be secured from the owner. Actual inspection of the premises shall be conducted to determine the



monuments of the site. General terrain condition of the area shall be embodied in the report to include the present use and occupations, if any.

4. Tenants/squatters – The presence of tenants/squatters in the land to be acquired shall be ascertained. An affidavit from the owner to the effect that the land shall be cleared of tenants/squatters shall be secured.

#### C. Public/Private Domain

1. Public Domain – The portion of the public domain planned to be acquired shall be surveyed and the plan shall be submitted to the Department of Environment and Natural Resources for processing and approval.
2. Private Domain – The status of the land shall be verified with the agencies of the government administering the property. The land needed shall be properly delineated and actual survey shall be undertaken. Plans shall be approved by the Director, Land Management Bureau.

#### D. Funds

All expenses necessary to secure the requirements mentioned in the preceding paragraphs shall be defrayed by the Unit/Major Service concerned who intends to acquire the real property.

### IX. MODES OF ACQUISITION/REGISTRATION OF ACQUIRED PROPERTY PROCEDURES:

The PCG shall acquire necessary land as right-of-way, site or location for a base, camp, or station for any infrastructure project through donation, negotiated sale expropriation or any other mode of acquisition as provided by law and in conformity with the PCG Strategic Studies and Modernization and PCG Strategic Basing Plan (PCG-SBP). The acquisition of land for the PCG can be done in the following modes of acquisition:

#### A. Executive Order/Presidential Proclamation (*See: Flowchart Nr. 4*)

1. The unit/office charged with the administration of the land in their area identified as a potential private or public domain that can be proclaimed for PCG use by the President may request for the availability of survey team to conduct boundary survey and clear delineation to CPCG (Attn: CGREMS). The area shall be marked by distinctive concrete monuments for proper identification. Survey plan prepared by survey team will be forwarded to the Land Management Bureau for approval.

After the survey is approved by the Land Management Bureau, the District Commanders/Unit Commander concerned shall forward a request to the CPCG (Attn: CGREMS) for the proclamation of the area to include the following data:

- a. List of adverse claims or private rights existing within the property, if any
  - b. Location of each claim reflected in the overall plan/map
  - c. Proposed development plan of the area.
2. The unit/office in charged with the administration of the land in their area of responsibility shall file with the DENR-CENRO concerned of application and/or submission of written request for the issuance of Special Patent;

The requirements for the processing and issuance of Proclamation and/or Special Patent over a parcel of land are as follows:



1. In cases when the land is not yet reserved and/or subject of a Proclamation, the following documents shall be required:

a. For the Applicant

- i. Written request from the authorized official of the proponent supported by the following:
  - (a) Survey plan of the land to be reserved duly approved by proper authority or sketch plan prepared by a private Geodetic Engineer and noted by the Chief, Surveys and Mapping Division in case of unsurveyed areas (in which case an actual survey shall be required by the proclamation subject to vested rights);
  - (b) Verified and certified correct technical descriptions of the approved plan issued by the concerned Chief, Surveys and Mapping Division; and
  - (c) Recent geotagged photographs showing the panoramic view of the area subject of the proposed proclamation as well as adjacent areas/ vicinities, improvements introduced, landmarks, identifying features, settlements, if any, etc. submitted by the requesting Party and validated by the Land Investigator from CENRO.
  - (d) Certification of no pending land registration

b. For the DENR

- i. Certification of status of land classification issued by the concerned CENRO officer;
- ii. Comment and recommendation of the following:
  - (a) Provincial Health Officer duly concurred or recommended by the Regional Director of the Department of Health (DOH) in case of settlement, school, hospital and other proclamation when it may affect the health of the people;
  - (b) District Engineer, duly concurred or recommended by the Regional Director of Department of Public Works and Highways (DPWH);
  - (c) Schools Division Superintendent of the Department of Education (DepEd) in case school site;
  - (d) Provincial Commander of the Armed Forces of the Philippines (AFP) in case of Military reservations; and
  - (e) Provincial Manager of the Philippine Ports Authority (PPA) in case the land abuts on the sea, lake or navigable river.

2. In cases when the land is already reserved or subject of a Proclamation, the following documents shall be submitted:

a. For the Applicant

- i. Photocopy of Proclamation stating that the reserve/grantee is granted ownership of the land through the issuance of a Special Patent;
- ii. Verified and certified correct technical description and approved plan or Cadastral map issued by the concerned Chief, Surveys and Mapping Division;



- iii. Certification of no pending land registration case over the proposed area issued by the RTC/LRA having jurisdiction over the land; and
      - iv. Investigation report on the status of the land supported by geotagged photographs, in cases when the request for issuance of Special Patent was made after three (3) years of more from the date of the issuance of Proclamation;
    - b. For the DENR
      - i. Certification of status of land classification issued by the concerned CENRO Officer.
3. In cases of lands actually occupied and used for municipal halls, public plazas or parks and other government institutions for public use or purpose under Section 4, R.A. 10023, there is no need to proclaim the land and a Special Patent shall be issued directly. The following documents shall be submitted:
- a. For the Applicant
    - i. Written request by the requesting Party endorsed by concerned Head of government entities/LGU for the issuance of Special Patent;
    - ii. Cadastral map or Survey plan of the land duly approved by the concerned DENR official;
    - iii. Verified and certified correct Technical Description issued by the concerned Chief, Surveys and Mapping Division;
    - iv. Recent (not more than 6 months) geotagged photographs showing the panoramic view of the area subject of the proposed proclamation as well as adjacent areas/vicinities, improvements introduced, landmarks, identifying features, settlements, if any, etc. submitted by the requesting Party and validated by the Land Investigator from CENRO; and
    - v. Certification of no pending land registration case over the proposed area issued by the RTC/LRA having jurisdiction over the land.
  - b. For the DENR
    - i. Certification of no pending land classification issued by the concerned CENRO Officer.
3. Preliminary investigation report to ascertain whether the land involved is suitable for the purpose to which it will be devoted; whether the name is free of claims and conflicts and to determine under the existing law the land is to be disposed of, submission of the written comment and recommendation of related offices concerned (DPWH, DOH, PPA, etc).
4. Submission of certified technical description and/or approved plan of the land applied for; verification and validation of the technical descriptions and/or approved plan of the land by the Chief, Geodetic Surveys Division.
5. Preparation of the proposed special patent and the typing of the technical description thereof at a separate sheet/page. Preparation also of Complete Staff Work (CSW); checking, validation and signing of the technical descriptions by the Chief, Geodetic Surveys Division.



6. Revision of, and affixing the initial on, the proposed special patent and related form/written matters/ papers by the authorized Land Management Officers of the Reservation and Special Land Grants Section.
7. To be forwarded to the Office of the Staff of the Chief, Land Administration and Utilization Division, for final revision and initial/signature on the proposed special patent and related papers/documents.
8. Coordinate with concerned CENRO for the processing of Special Patent.  
**(See: Flowchart Nr. 11)**
9. Once Special Patent is issued, register to registry of deeds.
10. Original copy of registered Special Patent must be hand carried to CGREMS for proper turn-over and issuance of property acknowledgement receipt.

**B. Deed of Donation (See: Flowchart Nr. 1)**

1. Administrator shall undertake preliminary negotiations with the owner(s) or Attorney-in-Fact and submit report to the CPCG (Attn: Director, CGREMS) with the following attachments for review and legal comment:
  - a. The name and address of the prospective donor;
  - b. Identification/authority of the donor;
  - c. Tax Identification Number (TIN) of the donor;
  - d. Technical description of the land and appropriate vicinity plan of the area;
  - e. Copy of Owners Certificate of Title/ Transfer of Certificate of Title if there is any;
  - f. Copy of technical description of lot;
  - g. Copy of latest Tax declaration;
  - h. Copy of Deed of Sale in the absence of OCT/TCT if applicable;
  - i. Draft deed of donation stipulating therein the terms and conditions and proposed utilization of lot;
  - j. Other pertinent documents
2. Upon determination of the legal ownership of the donor and legal review of deed of donation, CGREMS to recommend to CPCG for the approval to proceed with the donation;
3. In case CPCG is unable to attend the signing, a delegation of authority will be issued to its authorized representative;
4. No donation shall be signed without the proper delegation of authority of CPCG as endorsed by Director, CGREMS;
5. Upon approval of CPCG, the administrator must notify the donor on the acceptance and consummation of the donation;
6. Accept donation by the District Commanders/Major Unit Commanders/CPCG;
7. After signing of DOD, transmit the DOD (Annex A) in eight (8) copies, signed by the owner or authorized representative(s) through Special Power of Attorney (SPA) or Board Resolution/Secretary's Certificate confirming the act of donation if the owner is a corporation as donor, and by the District Commanders/Major Unit Commander/ CPCG as donee with the following supporting papers:
  - a. Original Certificate of Title/ Transfer Certificate of Title/ Certified True Copy of Title of the property;
  - b. Lot location plan of the property certified by a duly registered Geodetic Engineer;
  - c. Current Tax Declaration;



- d. Board resolution/certification authorizing or confirming the act of the donor, if the property is owned by an entity;
  - e. SPA with the attendant documents (ID, extrajudicial settlement, etc.), if the owner is being represented; and
  - f. Photocopy of government-issued IDs of the signatories with specimen signature.
8. Administration must process the registration of the DOD at the Registry of Deeds with the end in view of transferring the title of the land in the name of the PCG;
  9. If the property is unregistered file a petition for original registration with the Regional Trial Court where the land is situated (PD 1529); and
  10. Submit original documents to CGREMS as final depository of all documents pertaining to the donation to include the title of the donated land. A property acknowledgement receipt will be issued to the administrator.

**NOTE:** Ensure the compliance of conditions provided for in the DoD, if there are any.

**C. Deed of Usufruct (See: *Flowchart Nr. 7*)**

1. Submit draft deed of usufruct and pertinent documents to CPCG (Attn: D, CGREMS) for review and legal comment:
  - a. Original copy of Owners Certificate of Title/ Transfer of Certificate of Title;
  - b. The name and address of the prospective owner;
  - c. Identification/authority of the owner;
  - d. Copy of technical description of lot;
  - e. Copy of latest Tax declaration;
  - f. Copy of Deed of Sale in the absence of OCT/TCT or any proof of ownership.
2. All deed of usufruct shall undergo legal review by CGLS and undergo screening by CGREMS prior endorsement to CPCG;
3. Upon determination of the legal ownership of the other party, a delegation of authority will be issued if CPCG is unable to attend the signing;
4. A delegation of authority shall be requested to CGREMS for approval of CPCG in case the unit commander will be the signing authority in behalf of CPCG;
5. No signing of document without the delegation of authority of CPCG as endorsed by Director, CGREMS; and
6. After signing of DOU, it shall be notarized and reproduced in eight (8) original copies will be forwarded to CGREMS for filing and safekeeping.

**D. Negotiated Sale (See: *Flowchart Nr. 2*)**

1. Ensure that the property owner including all owners of structures and improvements who do not have legally recognized rights to the land shall meet the following criteria:
  - a. Must be a Filipino citizen;
  - b. Must not own any real property or any other housing facility, whether in an urban or rural area; and



- c. Must not be a professional squatter or a member of a squatting syndicate, as defined in Republic Act 7279, otherwise known as the "Urban Development and Housing Act of 1992."
2. Secure and validate the veracity of the following documents:
  - a. Original Certificate of Title/Transfer Certificate of Title/ Certified True Copy of Title (OCT/TCT/CTC) – The units/offices charged with the administration of land in their respective commands shall verify the existence of an Owner's Duplicate Copy of OCT/TCT with the Registry of Deeds of the province where the property is situated. A certified copy of the Owner's Duplicate Copy shall be secured from the Registry of Deeds to include liens, encumbrances or lis pendens;
  - b. Tax Declaration and Realty Tax Payment - The tax declaration of the land planned to be acquired shall be verified with the Provincial Assessors Office. Proof of tax payment or tax delinquency shall be secured from the local (City/Municipal) Treasurer's Office;and
  - c. Lot Survey Plan - An approved Lot Survey Plan shall be secured from the owner or from the local Land Management Bureau. Actual inspection of the site shall be undertaken to include location of monuments, and the general condition of the area shall be reported.
3. Determine the appropriate price offer by engaging the services of a government financial institution with adequate experiences in property appraisal, or an independent property appraiser accredited by the Bangko Sentral ng Pilipinas (BSP) or a professional association of appraisers recognized by the BSP to be procured by the implementing agency under the provisions of Republic Act 9184, otherwise known as the "Government Procurement Reform Act" and its implementing rules and regulations pertaining to consulting services.
4. In order to facilitate the determination of the market value of the property, the following relevant standards shall be observed:
  - a. The classification and use for which the property is suited;
  - b. The development cost for improving the land;
  - c. The value declared by the owners;
  - d. The current selling price of similar lands in the vicinity;
  - e. The reasonable disturbance compensation for the removal and demolition of certain improvements on the land and for the value of improvements thereon;
  - f. The size, shape or location, tax declaration and zonal valuation of the land;
  - g. The price of the land manifested in the ocular findings, oral as well as documentary evidence presented; and
  - h. Such facts and events so as to enable the affected property owners to have sufficient funds to acquire similarly situated lands of approximate areas as those required from them by the government, and thereby rehabilitate themselves as early as possible.
5. Negotiate with the property owner-concerned, as compensation price, the sum of:
  - a. The current market value of the land;
  - b. The replacement cost of structures and improvements therein; and
  - c. The current market value of crops and trees therein.

Price to be offered not to exceed the fair market value as declared by the owner or by the assessor as shown in the Tax Declaration, whichever is lower.



6. The property owner is given thirty (30) days to decide whether or not to accept the offer as payment for his/her property. If the property owner does not accept the price offer, initiate expropriation proceedings pursuant to Section E hereof.
7. Upon agreement on the price, the property owner and the PCG thru the administration on a negotiated sale for the acquisition of right-of-way, site or location for any infrastructure project, the fair market value of the property shall be subjected for review and approval by the head of the agency or department concerned prior execution of a deed of absolute sale: Provided, That the property owner has submitted to the PCG the Transfer Certificate of Title, Tax Declaration, Real Property Tax Certificate and other documents necessary to transfer the title to the PCG. The administration shall cause the annotation of the deed of absolute sale on the Transfer Certificate of Title.
8. Upon execution of the deed of sale, the PCG shall pay the property owner:
  - a. Fifty percent (50%) of the negotiated price of the affected land, exclusive of taxes remitted to the LGU concerned; and
  - b. Seventy percent (70%) of the negotiated price of the affected structures, improvements, crops and trees, exclusive of unpaid taxes remitted to the LGU concerned. Provided, That the land is already completely cleared of structures, improvements, crops and trees.
9. The PCG shall, at the times stated hereunder, pay the property owner the remaining fifty percent (50%) of the negotiated price of the affected land, and thirty percent (30%) of the affected structures, improvements, crops and trees, exclusive of unpaid taxes remitted to the LGU concerned. Provide that the land is already completely cleared of structures, improvements, crops and trees:
  - a. At the time of the transfer of title in the name of the PCG, in cases where the land is wholly affected; or
  - b. At the time the annotation of a deed of sale on the title, in cases where the land is partially affected.

**NOTE:** The provisions herein shall also apply to outstanding claims for right-of -way payments, except that the amount to be offered shall be the price at the time of the taking of the property, including legal interest until fully paid.

10. Facilitate the crafting of the Deed of Sale (DoS) and legal review with the CGLS and submit to the CPCG (Attn: Director, CGREMS), which shall take effect upon approval of CPCG.
11. Transmit the DoS in eight (8) copies, signed by the owner or authorized representative(s) through SPA or Board Resolution/Secretary's Certificate confirming the act of sale if the owner is a corporation as vendor, and by the CPCG as vendee for the approval of the SOTr.

**NOTE:** Photocopy of government-issued IDs of the signatories with specimen signature shall be attached in the DoS.

12. Administrator must register the DoS at the Registry of Deeds with the end view of transferring the title of the land in the name of the PCG.
13. Submit original documents to CGREMS as final depository of all documents pertaining to the sale to include the title of the purchased land for safekeeping and issuance of appropriate acknowledgement receipt.



14. If negotiation fails, proceed to Expropriation Proceedings.

**E. Expropriation (See: Flowchart Nr. 3)**

Expropriation of private property shall be resorted only after all modes of acquisition of private property through purchase, barter or exchange have been exhausted by the government. The provisions of Executive Order Nr 132, s-37 as amended by Executive Order Nr 214, s-39 shall be strictly followed and implemented.

Whenever it is necessary to acquire real property for the right-of-way site or location for any PCG infrastructure through expropriation, the PCG, through the Office of the Solicitor General (OSG), the Office of the Government Corporate Counsel, or their deputized government or private legal counsel, shall immediately initiate the expropriation proceedings before the proper court under the following guidelines:

1. The administrator shall submit a request to the Commandant, Philippine Coast Guard (Attn: D, CGREMS) for the acquisition of the land prior submission of the request to the Office of the Solicitor General (OSG) for the filing of expropriation. The request shall include the following documents in eight (8) copies to support the action on appropriation:
  - a. Plan or sketch of the property showing the definite boundary and improvements therein, if any;
  - b. Certificate of occupancy or expected date of occupancy by the District/Major Unit Commanders concerned;
  - c. Certified true copy of title, tax declaration and tax receipt for the current year and/or any evidence of ownership, if any;
  - d. Certification from the Fiscal and Accounting Officer that the amount for the provisional value is available and shall be deposited with the appropriate Provincial/City Treasurer upon order of the court;
  - e. Copies of resolution or certification from the Provincial/City Appraisal Committee showing the fair market value and tax declaration pursuant to Presidential Decree (PD) Nr 78, S-1973;
  - f. Condition Survey of the premises immediately before occupancy; and
  - g. Summary report of the negotiation with the owners to include circumstances under which expropriation of the property is deemed justifiable.
2. The Commandant, PCG upon the recommendation of the Director, CGREMS and the Legal Officer, CGLS shall file an applicable case before the proper court by the OSG;
3. The OSG, upon request of the Commandant, PCG and upon prior authority to condemn granted by the President, shall file with the proper court an action to expropriate the private property. The Solicitor General shall be furnished with the following documents:
  - a. Presidential authority to expropriate;
  - b. Technical description of the property;
  - c. A list of names and addresses of the owners concerned to include persons having interest in the land;
  - d. A map/plan of the property duly approved by the Land Management Bureau;
  - e. Separate valuation of the property if it consists of several parcels of lands to include the improvements thereon per Presidential Decree 76, s-73; and



- f. Certification by the respective fiscal and accounting officer to the effect that the fund for the provisional value is available.
4. The Solicitor General shall file expropriation proceedings with the Regional Trial Court of the Province or City where the property is located;
5. As soon as the Writ of Entry and the order to deposit the amount corresponding to the provisional value of the property is promulgated, the equivalent amount shall be deposited with the corresponding Provincial/City Treasurer;
6. Upon the filing of the complaint or at any time thereafter, and after due notice to the defendant, the PCG shall immediately deposit to the court in favor of the owner the amount equivalent to the sum of:
  - a. One hundred percent (100%) of the value of the land based on the current relevant zonal valuation of the Bureau of Internal Revenue (BIR) issued not more than three (3) years prior to the filing of the expropriation complaint;
  - b. In provinces, cities, municipalities, and other areas where there is no zonal valuation and classification, the city or municipal assessor is hereby mandated, within the period of sixty (60) days from the date of filing of the expropriation case, to come up with the required land classification and the corresponding declaration of real property and improvement for the area;
  - c. In provinces, cities, municipalities, and other areas where there is no zonal valuation, or where the current zonal valuation has been in force for more than three (3) years, the BIR is mandated, within the period of sixty (60) days from the date of filing of the expropriation case, to conduct a zonal valuation of the area, based on the land classification done by the city or municipal assessor;
  - d. In case the completion of a government infrastructure project is of utmost urgency and importance, and there is no existing valuation of the area concerned, the implementing agency shall immediately pay the owner of the property its proffered value.
  - e. The replacement cost at current market value of the improvements and structures as determined by:
    - i. The implementing agency;
    - ii. The government financial institution with adequate experience in property appraisal; and
    - iii. An independent property appraiser accredited by the BSP.
  - f. The current market value of crops and trees located within the property as determined by a government financial institution or an independent property appraiser to be selected.

**Note:** Any withdrawal from the provisional value deposited with treasurer not otherwise covered by a court order shall be opened. Payment to the owners shall be made only after the judgment shall have become final and executory in favor to the Republic of the Philippines.



7. Upon compliance with the abovementioned guidelines, the court shall immediately issue to the PCG an order to take possession of the property and start the implementation of the project;
8. Before the court can issue a Writ of Possession, the PCG shall present to the court a certificate of availability of funds from the proper official concerned;
9. If within seven (7) working days after the deposit, the court has not issued to the PCG a writ of possession for the affected property, the counsel of the implementing agency shall immediately seek from the court the issuance of the writ of possession. The court shall issue the writ of possession ex parte; no hearing shall be required;
10. The court shall release the amount to the owner upon presentation of sufficient proofs of ownership;
11. In case the owner of the property cannot be found, if unknown, or deceased in cases where the estate has not been settled, after exerting due diligence, or there are conflicting claims over the ownership of the property and improvements and structures thereon, the PCG shall deposit the amount to the court for the benefit of the person to be adjudged in the same proceeding as entitled thereto.
12. Inform the CPCG through Director, CGREMS the action taken and monitor the progress of the expropriation procedures through submission of progress report three (3) days after the latest hearing until such time that the final judgment has been rendered therein;
13. Issue Writ of Possession issued by the court to the PCG;

**NOTE:** If within seven (7) working days after the deposit to the court of the required amount, and the court has not issued to the PCG a Writ of Possession for the affected property, the counsel of the PCG shall immediately seek from the court the issuance of the Writ of Possession.

14. In the event that the owner of the property contests the implementing agency's proffered value, the court shall determine the just compensation to be paid the owner within sixty (60) days from the date of filing of the expropriation case. When the decision of the court becomes final and executory, the PCG shall pay the owner the difference between the amount already paid and the just compensation as determined by the court;
15. Upon issuance of the decision by the Court and payment of the lot made as ordered, work with the appropriate Registry of Deeds the transfer of title of the land in the name of the PCG;
16. Submit original documents to CGREMS as final depository of all documents pertaining to the sale to include the title of the purchased land.

**F. Barter (Land Swapping) (See: *Flowchart Nr. 5*)**

The basis for the barter/exchange of government property shall be the fair market value of the property involved to be determined pursuant to the provisions of Executive Order Nr 132, s-37 as amended by Executive Order Nr 214, s-39 and



Presidential Decree Nr 76, s-73.

1. Submit request for land swapping covered with justification to CPCG (Attn: Director, CGREMS) with the following validated supporting documents:
  - a. OCT/TCT - The units/offices charged with the administration of land in their respective commands shall verify the existence of an Owner's Duplicate Copy with the Registry of Deeds of the province where the property is situated. A certified copy of the Owner's Duplicate Copy shall be secured from the Registry of Deeds to include liens, encumbrances or lis pendens.
  - b. Tax Declaration and Realty Tax Payment - The tax declaration of the land planned to be acquired shall be verified with the Provincial Assessors Office. Proof of tax payment or tax delinquency shall be secured from the local (City/Municipal) Treasurer's Office; and
  - c. Lot Survey Plan - An approved Lot Survey Plan shall be secured from the owner or from the local Land Management Bureau. Actual inspection of the site shall be undertaken to include location of monuments, and the general condition of the area shall be reported
2. Approval of the CPCG through **Strategic Basing Review Committee** or any appropriate Board;
3. If approved, prepare the required MOA/Deed of Exchange to be signed by the owner or authorized representative(s) through SPA or Board resolution/Secretary's Certificate authorizing/confirming the act of the land swapping if property is owned by a corporation, and by the CCGS, which shall take effect upon the approval of the CPCG;

**NOTE:** Photocopy of government-issued IDs of the signatories with specimen signature shall be attached in the MOA/Deed of Exchange.

4. Upon signing of both parties, to work out with the appropriate Registry of Deeds for the transfer of title of the land in the name of the PCG; and
5. Submit original documents to CGREMS as final depository of all documents pertaining to the barter/land swap, to include the title of the land.

#### **G. Lease**

The Procedure for lease of property shall be based on (**See: Flowchart Nr. 6**), Implementing Guidelines for Lease of Privately-Owned Real Estate and Venue of R.A. 9184.

1. Submit eight (8) copies of the lease agreement to the CPCG (Attn: Director, CGREMS) with the justification and supporting documents:
  - a. Justification of the PCG unit that needs the land/building/space;
  - b. Location plan, approved plan and a brief description of the land/building/space with existing improvements/building plan;
  - c. Proposed utilization of the land;
  - d. Approximate area of land;
  - e. Expected date of occupancy;
  - f. Name(s) and address(es) of the owner(s);
  - g. Documentary evidence of ownership such as OCT/TCT, Tax Declaration and Real Estate Tax Receipts;



- h. Statement/Commitment, in writing, that the owner/Attorney-in-Fact is willing to lease the property at a certain rental rate or Board Resolution/Secretary's Certificate authorizing/confirming the act of the lease if the property is owned by a corporation;
  - i. Certificate of Occupancy from the Lessor, if already occupied (include when it was occupied);
  - j. Accomplished Lease Contract and supporting documents;
  - k. Floor Plan/Sketch of the building with measurements;
  - l. For buildings outside of Manila:
    - i. Certificate by the City/Municipal Mayor or Provincial Governor as the case maybe, that there is no available space within the City/Municipal Hall or Provincial Capitol Building; and
    - ii. Certificate as to the reasonableness of the stipulated monthly rental by the City/Provincial Auditor, as the case maybe, and the Regional Chief of Cities or Provinces where there is a Regional Office of the Bureau of Buildings and Real Property Managements.
  - m. Certificate of Occupancy by the Commanding Officer of the occupying unit;
  - n. Certified copies of the title and/or evidence of ownership in eight (8) copies to include tax declaration and tax receipt for the current year;
  - o. Area of the property leased; and
  - p. A statement that the property has been registered under Section 194, RAC as amended by Act 3344 if the property is not covered by the Land Registration Act (496).
2. The administrator shall ensure that the following terms and conditions are met in the contract:
- a. The Contract shall contain the technical description of the property to be leased copied verbatim from the title thereof;
  - b. Term – the period of the lease shall be for one (1) year to five (5) years or fraction thereof subject to yearly confirmation of its implementation/extension until the term is completed/expired;
  - c. Signature and Notation – the parties concerned shall sign the contract of Lease and the same shall be notarized by a Notary Public; and
  - d. Consideration – the Lease Contract shall, contain the amount which the Lessee shall pay the Lessor in words and figures.
3. Upon receipt of the proposed Contract of Lease, the Director, REMS shall refer the contract to CGLS for legal sufficiency. Upon receipt of comment of CG Legal Services that the contract meets legal requirements, the same shall be forwarded to the CCGS for approval of the CPCG or delegated authority to sign the same for and in behalf of the CPCG;

**NOTE:** Photocopy of government-issued IDs of the signatories with specimen signature should be attached in the Lease Contract.

- 4. Submit original documents to CGREMS as final depository of all documents pertaining to the lease;



5. Payments of rentals shall be programmed annually. The fund chargeability shall be stamped at the back of the original of the Contract of Lease by the Accounting Officer and Fiscal Officer of the unit concerned. In case of insufficiency of funds, a certification that funds will be programmed for the purpose shall be attached to the Contract of Lease (RE Form No.5);
6. Payment of rentals shall be made upon receipt of the accomplished voucher by the Disbursing Officer of Major Service concerned;
7. Request for renewal of contract shall be made three (3) months prior to the expiration of contract;
8. CGREMS must be informed by Deputy Chief of Coast Guard Staff for Logistics (CG-4) of all contract of lease for inventory of property; and
9. Concerned unit must likewise, submit contract of lease to CGREMS to update inventory of real estate.

## H. Reclamation

The concerned administrator shall comply and submit the following requirements for reclamation to CPCG (Attn: D, CGREMS) for endorsement to PRA:

### 1. Pre-Qualification Requirements

#### a. Legal requirements

- 1) Letter of intent from applicant
- 2) Provincial/City Council Resolutions expressing no objection to the proposed reclamation project
- 3) For LGUs/ GOCCs/ NGAs
  - iii.a. Certified True Copy of the Council's / Board's / GOCC / NGA to file an application with PRA;
  - iii.b. Certified True Copy of the charter or other incorporation documents; and
  - iii.c. Certified True Copy of Bureau of Internal Revenue (BIR) Certificate of Registration

#### b. Financial Requirements

##### i. For LGUs / GOCCs / NGAs

- i.a. Certified True Copy of the Audited Financial Statements for the past three years;
- i.b. Certified True Copy of the Income Tax Return (ITR) for the past three years; and
- i.c. BIR Tax Clearance Certificate.

### 2. Mandatory Requirements

Mandatory Requirements	Case 1 Less than five (5) hectares	Case 2 Five (5) hectares or more
1. `Feasibility Studies* and final Environmental Impact Statement (EIS) or equivalent studies.		
2. Project Description and Initial Environmental Examination (IEE) checklist		



3. Area Clearance and ECC		
4. Hydrodynamic Modeling		
5. Detailed Engineering Design**		

\*For roads, expressways, bridges, ports, airports, power plants and other similar projects requiring adjacent areas to be reclaimed (reclamation component), if the relevant F/S shall be submitted to PRA for review and validation together with the requirements of a Reclamation Project Description.

\*\* Detailed Engineering Design shall include, among others, the following:

- a. Detailed engineering design, reclamation plans including reclamation methodology and specifications to include the following:
  - i. Geotechnical investigation;
  - ii. Engineering Geological and Geohazard Assessment Report (EGGAR); and
  - iii. Climate change adaptation strategy.
- b. Hydrographic, topographic and bathymetric plans / maps of the reclamation site and immediate vicinity as well as of the marine borrow pit areas, as the case may be.

3. Other requirements:

PRA reserves the right to impose from the applicant additional requirements from concerned government agencies that may be affected by the proposed reclamation projects.

**I. Permit**

1. The major service command interested in acquiring/utilizing land on a temporary basis which owned by a private individual, a political subdivision or instrumentality of the government, shall apply in writing to the owner concerned.
2. Written Report – After preliminary negotiations have been undertaken and the owner has signified his/her willingness to let the PCG unit use the property for free, the major service command concerned will submit a report to the Director, CGREMS citing the terms and conditions of the permit (RE Form Nr 4).
3. Procedure before Occupancy – Before occupancy of the property, the Commanding Officer assigned to the property shall request for survey to the premises describing in every detail the nature, condition and improvements found therein. The report shall be incorporated in RE Form Nr 1. The result of the survey shall be included in the request under no circumstances will the property be occupied without the written approval of the Commandant, PCG.

**Emergency Occupation of Private Property**

Except when exigencies of military service and/or operations so require and under no circumstances shall private property be occupied or construction started therein by any PCG unit prior to the issuance of a written permit from the Director, CGREMS, the owner or the execution or perfection of the proper contract of lease with the owner. The exigencies of the PCG service referred to herein are those which could not allow delay in the occupancy of the property in question without involving the loss of life, destruction of government property or serious detriment to the service. Immediately thereafter, the Commanding Officer of the occupying PCG unit shall report to the Director REMS, in writing stating the circumstances surrounding the



occupancy.

## **X. ADMINISTRATION/MANAGEMENT:**

### **ADMINISTRATION OF PROPERTIES**

- A.** Active PCG Real Estate Property – PCG properties in active use shall be administered by Unit Commander in actual possession as Administrator of the Commandant, PCG
- B.** Inactive PCG Real Estate Property – PCG properties not in active use for lighthouse purposes shall be administered by the Commandant, PCG thru the Director, CGREMS. He is empowered as appointed by the Commandant, PCG to the nearest reservation, and administrator or other officers who in his opinion can best promote the interest of the government in the matter of administering the property. The officers so appointed shall be directly responsible to and shall receive orders from the Commandant, PCG thru Director, CGREMS on all matters relating to the administration of the properties entrusted to them.
- C.** Co-Location – If more than one (1) services of the PCG is occupying the land, the administrator of the land is the Commander who represents the District/Unit Commanders on the duly allocated property.
- D.** Responsibility of Commanders/Administrators – Commanders or administrator shall acquaint themselves or through responsible officers, of the limits of the reservation under their administration. He shall adopt measures and/or actions which shall deny any unauthorized person entry or construction into the reservation.
- E.** The Administrator of all PCG real estate and lighthouse reservations shall render an accounting of all fees and harvest realized or derived there-from to the Chief of Coast Guard Staff thru the Commandant, PCG semi-annually. The accounting report shall be submitted on the 5<sup>th</sup> of July of the current year next after the lapse of six (6) months and the six (6) months to follow will be reported on the 5<sup>th</sup> of January on the next year following the current year.

PCG through the administrator shall undertake the attendant activities relative to the strengthening of ownership, which include, among others:

### **ESTABLISHMENT OF OWNERSHIP**

#### **1. Titling (See: Flowchart Nr 8)**

- a.** File and secure the required documents at the Office of the Bureau of Internal Revenue Regional District (BIR RDO) with the following documents:
  - i.** One (1) Original copy and two (2) photocopies of the notarized Deed (if no available copy of original deed, refer to **(See: Flowchart Nr 9);**  
Owner's duplicate copy of the TCT (if no original owners duplicate copy refer to **(See: Flowchart Nr 10a);**
  - ii.** One (1) Certified True Copy, and two (2) photocopies of the latest Tax Declaration for land and improvement of the land: If the property sold is a vacant lot or no improvements have been made on it, a Sworn Declaration of No Improvement by at least one of



- the transferees or Certificate of No improvement issued by the City or Municipal Assessor is required; and
- iii. Tax Identification Numbers (TINs) of the seller and buyer.
- b. Secure assessment from a BIR representative, who will compute the Capital Gains Tax (CGT) and Documentary Stamp Tax (DST). Once the computations have been done based on the documents you have given, the BIR representative will have the administrator sign three (3) copies each of BIR Form 1706 for the CGT and BIR Form 2000 for the DST.
  - c. Proceed to Authorized Agent Bank (AAB): For areas where there are no AABs, they will be filed with the City or Municipal Treasurer.
  - d. File documents at the BIR for the issuance of Certificate Authorizing Registration or BIR Clearance. The administrator will receive a Claim Slip with the claim date of the Certificate Authorizing Registration, which will be released along with the following documents:
    - i. Original copy of the Deed will be stamped as received by the BIR;
    - ii. Owner's Duplicate Copy of the TCT or the CCT;
    - iii. Original copies of the BIR Form 1706 (CGT) and Form 2000 (DST), stamped as received by the BIR; and
    - iv. Copies of the Tax Declaration for land and improvement.
  - e. Pay the Transfer Taxes and secure the Tax Clearance at the Local Treasurer's Office. Aside from paying the Transfer Tax, secure the following documents for the issuance of the Tax Clearance:
    - i. One (1) original copy and one (1) photocopy of Deed;
    - ii. One (1) photocopy of the Tax Declaration; and
    - iii. Official Receipt (OR) of Payment of land Tax.
  - f. File documents at the Registry of Deeds for the issuance of new land title. The new owner's duplicate copy of the TCT and CCT will be released once you had presented all the following documents are presented:
    - i. One (1) Original copy and three (3) photocopies of the Deed, stamped as received by the BIR;
    - ii. Seller's/Owner's Duplicate copy of the TCT;
    - iii. Original copies of the Certificate Authorizing Registration;
    - iv. Original Copies of the Tax Clearance;
    - v. Original copies of ORs of payment of CGT, DST, Tax Clearance, and Transfer Fee;
    - vi. Original Copies of the Current Tax Declaration for the land and improvement issued by the local Assessor's Office; and
    - vii. If the seller/donor is a corporation, submit the following requirements:
      - a) Secretary's Certificate authorizing the sale of the real /donation property; and
      - b) Certified True Copy of the Articles of Incorporation and By Laws of the seller/donor.
  - g. File the documents at the Municipal or Provincial Assessor's Office for the issuance of new Tax Declaration. For the release of the new Tax Declaration, present a photocopy of the following documents:
    - i. Deeds;
    - ii. TCT;
    - iii. Certificate Authorizing Registration;
    - iv. Transfer Tax Receipt; and



v. Latest Tax Receipt or Tax Clearance.

h. If the property is unregistered, file a petition for original registration with the Regional Trial Court where the land is situated (PD 1529).

## 2. Issuance of Special Patent (See: *Flowchart Nr 11*)

- a. For land covered with Proclamation and classified as agriculture land:
  - i. File request to City Environment Natural Resources Office (CENRO) with the following requirements:
    - a) Photocopy of Proclamation;
    - b) Verified and certified correct technical descriptions;
    - c) Approved Plan or Cadastral Map;
    - d) Geotagged Photographs (recent) (Provided by DENR pursuant to DAO 2016-21); and
    - e) Certification from the RTC/LRA of no pending land registration case.
  - ii. Monitor and submit progress report to the CCGS based on the procedure set forth by the DENR during the pendency of the issuance of Special Patent; and
  - iii. Administrators Commander concerned to submit the original Special Patent to the CCGS (Attn: Director, CGREMS).
- b. For land being utilized not covered by a proclamation and classified as agricultural land:
  - i. Filing of request – District/Major Units Commanders/Unit concerned files the necessary request to CENRO with the following requirements:
    - a) Request from Camp Administrator;
    - b) Sketch Plan of subject area (if not yet approved);
    - c) Verified technical descriptions of approved Survey Plan;
    - d) Geotagged photographs (recent) (Provided by DENR pursuant to DAO 2016-21); and
    - e) Certification from the RTC/LRA of no pending land registration case.
  - ii. The Director, CGREMS shall monitor the progress of the procedures and require the concerned Administrators/ District/Major Unit Commander to submit progress report based on the procedure set forth by the DENR.
  - iii. The CGREMS shall submit regular progress report to the CCGS in coordination with the concerned administrator during the pendency of the issuance of Special Patent; and
  - iv. Submit original copy of the Special Patent to CGREMS as final depository of all documents

## 3. Land Management

### Relocation of Informal Settlers

The PCG shall take into account and observe diligently the procedure provided for in Section 28 and 29 of Republic Act No. 7279.



#### 4. Co-location (See: Flowchart Nr. 12)

##### Policies:

- a. If more than one unit of the PCG is on the duly allocated property, either the Base Commander or District Commander will be the facility administrator of the said property and other units will be a tenant unit and a facility administrator.
- b. If another government agency is occupying a certain portion of the PCG land or wish to occupy any PCG land, the commander who represents the PCG on the duly allocated property is the administrator, and the other government agency will be a tenant unit/agency.
- c. Likewise, if more than one (1) unit of the Major Unit Command is occupying the land, the administrator of the land is the Commander who represents the Major Unit on the duly allocated property, and the other units will be a tenant unit and a facility administrator.

##### Procedures:

If the administrators or the other government agency intend to utilize a portion of land to co-locate within the camp/base, the following procedure shall be followed:

- a. Coordinate with the administrator of the concerned land for the availability of a certain portion of a camp/base.
- b. Submit letter request to the CPCG (Attn: Director, CGREMS) with the following documents:
  - i. Justification for the Utilization;
  - ii. Sketch Plan of the location and delineation of the requested area; and
  - iii. Concurrence of the camp/base administrator.
- c. Approval of the CPCG and issuance of appropriate Letter Directive.

**NOTE:** The CPCG is the approving authority for all colocation request.

#### 5. Utilization of a Portion of PCG Land Other Than For Military Purposes

##### Policy

No PCG land or part of the bases/camps shall be utilized or occupied by any entities, government, or private without the approval of the appropriate authority. In the case of occupancy for one (1) year and below, a revocable permit shall be issued by the land administrator. For more than one (1) year occupancy, an appropriate contract shall be executed, subject to the approval of CPCG. In all cases, no perpetual grant-of-access shall be granted. Appropriate contract shall be executed between the administrator and the requesting party in accordance with the existing laws and/or PCG policies.

##### ▪ Grant-of-Usufruct

- a. Any request for a grant of-usufruct within the PCG land shall be granted by the CPCG upon recommendation of the members of the board thru CCGS (Attn: CGREMS). The grant-of-usufruct shall only be utilized for the purpose it was intended.
- b. Procedures:
  - i. Submit the following documents by the requesting party:



- i.a. Purpose of the request;
  - i.b. Sketch Plan with technical description showing in the area involved;
  - i.c. Proposed duration of the grant-of-access; and
  - i.d. Proposed Specific agreement on the grant-of-usufruct.
- ii. Initial action – validation and determination of its necessity by the administrator;
- iii. Denial of the request may be undertaken by the administrator if the request is found unnecessary;
- iv. If valid, forward to the request to the CSPCG (Attn: Director, CGREMS) with the following documents:
  - iv.a. Justification of the purpose of the request;
  - iv.b. Sketch Plan with the technical description showing the area involved signed and sealed by a licensed Geodetic Engineer;
  - iv.c. Proposed duration of the grant-of-access; and
  - iv.d. Proposed Specific agreement on the grant-of-usufruct.
- v. Approval of the CPCG upon recommendation of the CCGS through CGREMS;
- vi. Preparation and signing of the Usufruct Agreement shall undertaken by the requesting party and by the registered owner as inscribed in the title of the subject military land, once the request is approved by the CPCG

▪ **Grant-of -Access**

- a. Any request for a grant-of-access for use of the requesting party within the PCG land shall be granted by the CPCG upon recommendation of the CS, PCG. The grant-of-access shall only be utilized for the purpose it was intended.
- b. Procedures:
  - i. Submit the following documents by the requesting party:
    - i.a. Purpose of the request
    - i.b. E-Sketch Plan with technical description showing the area involved (Table Survey);
    - i.c. Proposed duration of the grant-of-access; and
    - i.d. Proposed Specific agreement of the grant-of-access.
  - ii. Initial action – validation and determination of its necessity by the administration;
  - iii. Denial of the request may be undertaken by the administrator if the request is found unnecessary;
  - iv. If valid, forward the request to the CCGS (Attn: Director, CGREMS) with the following documents:
    - iv.a. Justification of the purpose of the request;
    - iv.b. Sketch Plan with technical description showing the area involved signed and sealed by a licensed Geodetic Engineer,
    - iv.c. Proposed duration of the grant-of-access; and
    - iv.d. Proposed Specific agreement on the grant-of-access.
  - v. Approval of the CPCG upon recommendation of the CS, PCG through CGREMS; and



- vi. Preparation and signing of the Usufruct Agreement will be undertaken by the requesting party and by the registered owner as inscribed in the title of the subject land, once the request is approved by CPCG.

▪ **Grant-of-Access – PCG Land Reservation**

- a. Any request for a grant-of-access within any PCG Land reservation shall be granted by the CPCG upon recommendation of the CS, PCG after the subject area is declared as alienable and disposable. The grant-of-access shall only be utilized for the purpose It was intended
- b. Procedures:
  - i. Submit the following documents by the requesting party:
    - i.a. Purpose of the request;
    - i.b. Sketch Plan with technical description showing the area involved (Table Survey);
    - i.c. Proposed duration of the grant-of-access; and
    - i.d. Proposed specific agreement of the grant-of-access.
  - ii. Initial action- validation and determination of its necessity by the administrator;
  - iii. Denial of the request may be undertaken by the administrator if the request found unnecessary;
  - iv. If valid, forward the request to the CS, PCG (Attn: Director, CGREMS) with the following documents for approval of CPCG:
    - i.a. Justification of the purpose of the request;
    - i.b. Sketch Plan with technical description showing the area involved signed and sealed by a licensed Geodetic Engineer;
    - i.c. Proposed duration of the grant-of-access; and
    - i.d. Proposed specific agreement on the grant-of-access by the requesting party and the administrator.
  - v. If approved, facilitate the declaration of the area as alienable and disposable;
  - vi. Facilitate the titling of the property once it is declared as alienable and disposable; and
  - vii. Facilitate the signing and approval of the CPCG on the grant of access within any PCG Land reservation.

▪ **Grant of Right-of-Way**

- a. The PCG may acquire real property needed as right of way site or location for any national government infrastructure project through donation, negotiated sale, expropriation, or any other mode of acquisition as provided by law.
- b. When it is necessary to build, construct, or install on the subsurface or subterranean portion of private and government lands owned, occupied, or leased by other persons, such infrastructure as subways, tunnels, underpasses, waterways, floodways, or utility facilities as part of the government infrastructure and development project, the government or any of its authorized representative shall not be prevented from entry into and use of the subsurface or subterranean portions of such private and



government lands by surface owners or occupants, if such entry and use are made more than 50 meters from the surface.

- c. Any request for grant of right-of-way for use of PCG land shall be granted by the CPCG upon recommendation of the CCGS.
- d. Procedure:
  - i. Submit the following documents by the requesting party:
    - i.a. Purpose of the request or Justification;
    - i.b. Sketch plan with technical description showing the area involved (Table survey); and
    - i.c. Propose specific agreement on the grant-of-access;
  - ii. Initial Action- validation and determination of its necessity by the administrator;
  - iii. Facilitate the negotiation with the PCG of the right-of-way and ensure that it will be acquired under the following rule:
    - iii.a. The PCG shall offer the following to the PCG as compensation price:
      - iii.a.1. Sum of the current market value of the land;
      - iii.a.2. Replacement cost of structures and improvements therein; and
      - iii.a.3. Current market value of crops and trees therein.
    - iii.b. To determine the appropriate price after, the implementing agency may engage the services of a government financial institution with adequate experience in property appraisal, or an independent property appraiser accredited by the Bangko Sentral ng Pilipinas (BSP) or a professional association of appraisers recognized by the BSP to be procured by the implementing agency under the provisions of RA Nr 9184, otherwise known as the "Government Procurement Reform Act" and its implementing rules and regulations pertaining to consulting services.
  - iv. Forward the request to the CCGS (Attn: Director, CGREMS) with the following documents for approval of the CPCG:
    - iv.a. Justification of the purpose of the request in cases involving the acquisition of right-of-way, site or location for any national government infrastructure project taking into account the ecological and environmental impact of the project considering the environmental laws, land use ordinances and all pertinent provisions of Republic Act No. 7160, as amended, otherwise known as the Local Government Code of 1991;
    - iv.b. Sketch plan with technical description showing the area involved signed and sealed by a licensed Geodetic Engineer; and
    - iv.c. Proposed specific agreement on the grant-of-access right of way.
  - v. Appropriate contract executed between the administrator and the requesting party in accordance with the existing laws and/or PCG policies, which shall take effect upon approval of CPCG; and



- vi. Conduct segregation survey of the affected property and subsequently issue the title reflecting the changes in the area of the land affected by the implementing agency.

#### 6. Security and Protection from Unauthorized Construction and Encroachment of Informal Settlers

Unauthorized construction/encroachment of informal settlers must be prevented and disallowed within the PCG-owned land and reservations not only it will pose security threat but also retard any development plans on the area. All measures necessary to prevent informal settlement and/or encroachment of property by unauthorized individuals or entities shall be exercised by the Base Administrator concerned. Such measures may be included, but no limited to, the following guidelines:

- a. Facilitate the conduct of boundary survey and placing of concrete monument;
- b. Facilitate Fencing and placing of sign boards indicating "PCG Land reservation"/PCG land and "off limits" shall be undertaken and constructed based on the specification and design set forth by the Coast Guard Infrastructure Development Service (CGIDS) after the boundaries are established;
- c. Deny entry of all construction materials and equipment entering camps/bases/reservations not related to unit's construction activities;
- d. Conduct regular verification for existence of unauthorized constructions and presence of informal settlers;
- e. Issue Notice to Vacate within 30 days to every household verified as informal settlers;
- f. Make necessary legal action once informal settlers refused to vacate after the issuance of 30-day notice;
- g. Coordinate with concerned LGU for the issuance of Summary Eviction Noticed signed by concerned Mayor or authorized representative and the availability of relocation area of the informal settlers; and
- h. Implement Summary Eviction in case active PCG personnel are occupying any PCG-owned building, quarters, or PCG land reservation.

### XI. MONITORING:

#### A. Reporting

1. For land – All Real Estate Management Units (REMUs) shall keep land records/documents and submit status report to Director, CGREMS every last Monday of May and last Monday of November. The Director, CGREMS shall submit every last Monday of June and 2<sup>nd</sup> Monday of December to the CCGS through the Commander, Coast Guard Logistics Systems Command (CGLSC) the complete inventory report.
2. All REMUs shall keep document; Inventory and status of informal settlers and submit the same to Director, CGREMS every last Monday of May and last Monday of November. Director, CGREMS shall submit every last Monday of June 2<sup>nd</sup> Monday of December to the CS, PCG



## B. Booking of Property

All land being utilized by the PCG shall be included in the inventory of the REMUs, regardless of source or mode of acquisition, provided that the necessary documentary requirements pertaining to its acquisition are available. Such properties shall be recognized in the Book of Account of the concerned PCG unit.

The REMU shall furnish copies of pertinent documents relative to the acquisition of the land to the Accountable Officer for the booking in the Inventory Book at cost. If the Property, Plant and Equipment (PPE) is acquired through non-exchange transaction, the value shall be measured according to its fair market value at the time of its acquisition. Relatedly, the Accountable Officer shall provide the Accounting Office the relevant documents for the recognition of the property in the Books of Account. The Accounting office shall make the necessary accounting entries to recognize the acquisition of the property of land to the accountable officer and Accountant of the designated end-user shall then be facilitated by the respective Major Unit Commands and Districts. Accountable Officer and Accountant through Property Transfer Report (PTR) and transfer Journal Entry Voucher (JEV), respectively.

All acquired land, regardless of the mode of acquisition, shall be included in the Report on the Physical Count of PPE. The report shall be certified correct by the Inventory Committee Chairperson and Members, approved by the Head of Agency/Entity or his/her authorized representative, and verified by the Commission on Audit (COA) representative, and shall be submitted to the Auditor concerned and Accounting Division/Unit not later than January 31 of each year.

## XII. DISPOSITION/DIVESTMENT OF LAND:

PCG land may be subject to disposition through a) land swap, b) Lease, c) Sale, etc., subject to conditions indicated in the existing laws, rules and regulations. The administrator may recommend to the Director, CGREMS the disposition of PCG land being administered, provided that it is necessary and advantageous to the government. The proposed disposition of land shall be supported by appropriate studies or justifications. The Director, CGREMS may recommend to the CCGS through CCGLSC, PCG the disposition of property, subject to approval of the CPCG.

The PCG, upon approval of the CPCG, may assign to any disposition entity for the sale, lease, or joint development of PCG Land reservation or portion thereof, subject to parameters set by the PCG and applicable laws, rules, and regulations and other related issuances.

### LIMITATIONS:

1. Real Properties acquired by the PCG either by purchase or donation, reserved by proclamation or executive order of the President of the Philippines, and cannot be the subject of any form of disposition or alienation such as sale/lease unless the President declares the same alienable.
2. Real Properties purchased by the PCG not reserved by proclamation or executive order maybe sold or exchange with other properties, as the Commandant, PCG may direct, upon the recommendation of the Director, CGREMS subject to the approval of the President of the Philippines pursuant to Section 567 of the Revised Administrative Code.



3. Real Properties donated to the PCG may also be sold or exchanged with other properties, subject to the conditions of the donation and approval of the President pursuant to Section 567 of the Revised Administrative Code.
4. The properties immediately preceding may also be leased by the Commandant, PCG upon the recommendation of the Director, CGREMS upon such terms and conditions as he may deem proper, subject to the condition that such lease may be revoked at any time the military exigencies demand. In case the property was donated to the PCG, the leasing thereof may be permitted provided that it will not in conflict with the term of the donation.

### **XIII. RESPONSIBILITIES:**

#### **A. DCS for Logistics, CG – 4**

1. Program, review, coordinate, and supervise the base and real estate development management of the PCG;
2. Review and ensure that all Tatag ng Imprastruktura para sa Kapayapaan at Seguridad (TIKAS) Programs and other related bases/camps development programs of every Program Manager include fencing activity; and
3. Monitor the status of CMP/MDP preparation.

#### **B. DCS for Strategic Studies and Modernization, CG-15**

1. Activate the Strategic Basing Review Committee chaired by CG-15;
2. Provide strategic direction in bases development;
3. Determine bases development priorities; and
4. Review the base development proposals to ensure adherence to the strategic guidance set by the NMS.

#### **C. CGREMS**

1. Review all documents related to the administration and management of PCG lands and recommend dispositive action to the CCGS with concurrence of cognizant offices;
2. Facilitate the approval of the CPCG upon recommendation of the CCGS on all land-related transactions;
3. Monitors the registration of all titles in the name of the PCG;
4. Monitors all activities pertaining to the establishment of ownership of the land;
5. Act as final depository office of all original documents pertaining to land transactions;
6. Facilitate the issuance of appropriate orders designating Program Managers as administrators of all land being administered on behalf of CCGS;
7. Maintain a list of administrators for all active or inactive PCG Real Estate Property, who shall be responsible for the administration of their respective real estate properties and the rendering of appropriate reports;
8. Maintain a list of all real estate properties and submit an annual inventory report to Commandant, PCG thru CG-4; and
9. Monitor the implementation of this SOP.

#### **D. CG Legal Service**

1. Conduct Legal Review on the Deed of Conveyances or Contracts entered into by the PCG and Public/Private Entity;
2. Assist with the Due Diligence on the Title to the Land;
3. Assist with Titling of Land Registration;



4. Conduct Lectures, Seminar Workshop on Land Registration and related laws;
  5. Act as Legal Adviser on any matters pertaining to Land Registration Proceedings and disputes; and
  6. To perform such other functions that may be necessary in the attainment of the objectives of this circular.
- E. CG Base Commanders
1. Develop PCG capabilities to prepare and formulate MDPs;
  2. Coordinate with CGREMS on the utilization and development of the land;
  3. Establish uniform standards for fencing projects based on the base classification; and
  4. Establish uniform standards for signages ("PCG Land Reservation") for every camps/base/ reservation to prevent encroachment.
- F. Administrators
1. Act as administrator of the land on behalf of the CPCG;
  2. Ensure due diligence in all transactions and documentations pertaining to their land administrator-ship;
  3. Facilitate initial negotiations of all land transactions;
  4. Facilitate all attendant activities in the establishment of ownership of the land being administered;
  5. Ensure complete staff work prior to endorsement to higher headquarters;
  6. Facilitate the formulation and approval of CMP and MDP of all camps/bases being administered;
  7. Monitor all activities pertaining to establishment of ownership of the land and submit all reportorial requirements pertaining to land utilization and disposition to the CCGS (Attn: CGREMS);
  8. Facilitate the issuance of appropriate orders designating the administrator of all land being administered on behalf of the Program Managers;
  9. Designated property administrator is empowered to appoint the Commander of his subordinate unit nearest the reservation of any of his officers, who in his opinion can best promote the interest of the government in the matter of administering the property. The officers so appointed shall be directly responsible to and shall receive orders from the administrator on all matters relating to the administration on the properties entrusted to them;
  10. Responsibility of the Commanders/Administrators – Commanders or administrator shall acquaint themselves or through responsible officers, of the limits of the reservation under their administration. He shall adopt measures and/or actions which shall deny any unauthorized person entry or construction into the reservation;
  11. Real Estate Property Utilization Report – Property administrators shall submit to Deputy Chief of Staff for Logistics, CG-4 thru D, CGREMS a quarterly real estate property utilization report which would identify unnecessary real estate property that is unused, underutilized or not being put to optimum use;
  12. The responsibility of PCG Real Estate Properties rest on the Director, Real Estate Management Office (CGREMS) for and in behalf of the Chief of Coast Guard Staff, PCG who is the mandated administrator of real estate assets and to take measures to ensure the security and development of these properties for the PCG's interests;
  13. Real Estate Income Report – Administrators of PCG reservations shall render an accounting of all fees and harvest realized or derived there



- from to the Deputy Chief of Staff for Logistics, CG-4 thru D, CGREMS semi-annually. The accounting report shall be submitted on the 1<sup>st</sup> of July of the current year next after the lapse of six (6) months and the other six (6) months to follow will be reported on the 1<sup>st</sup> of January on the next year following the current year;
14. Each administrator shall maintain a list of its real estate properties under two (2) major categories; Lands for military purpose and lands for other uses. Only lands categorized as lands for other uses could be sold or leased for the purpose of raising revenues to fund the PCG Modernization Program, Lands for military purposes must be classified as a capability base, command and control base, admin and logistics or any other classification as the case maybe. An annual inventory and classification of real estate properties shall be submitted to Deputy Chief of Staff for Logistics, CG-4 thru D, CGREMS; and
  15. Ensure the strict implementation of this SOP.

#### XIV. ACCOUNTABILITIES:

- A. Real Property Acquired by Purchase or Contract – Accountability shall be picked up by the accomplishment and submission of the original and two (2) copies of General Voucher Form Nr 5 (a) to the Accounting Officer, PCG. Accountability shall commence upon payment of the property.
- B. Real Property Acquired by Transfer from other Branches of the Government – Accountability shall be picked up thru the accomplishment and submission of one (1) copy of the Report of Property Found in Station to the Accounting Officer, PCG. Accountability shall commence upon receipt by the Director, REMS of the approval of the transfer of the property pursuant to Section 641 of the Revised Administrative Code.
- C. Non-Republic Buildings – Accountability for this property shall be taken up thru the accomplishment and submission of one (1) copy of the Report of Property Found in Station to the Director, CGREMS and Supply Accountable Officer. Accountability for non-republic buildings shall commence upon positive identification that property is not taken up in the book of accounts of the PCG Real Estate Officer or immediately upon the completion of their construction by troop labor or administration.
- D. For purposes of Attaching Accountability – Land and buildings acquired by donation or grants shall be considered as property found in station and shall be picked up in the accountability of the Director, CGREMS, thru the accomplishment of the Report of Property Found in Station.
- E. Persons Accountable and Responsible for Real Property
  - i. For lands belonging to the PCG – The Director, CGREMS shall be directly and exclusively accountable and/or responsible to the Commandant, PCG.
  - ii. For buildings belonging to the PCG – The Commandant, PCG shall transfer such accountability to the Accountable Supply Officer of the different units, post, camps and station thru the **Major Services Engineers**. Occupants of buildings shall be directly responsible for the proper care and maintenance of the buildings. Commanding Officer of Post, Camps and Stations shall also be responsible from the point of view of command responsibility.



F. Accessories and/or Parts of Buildings – Whether Republic or Non-Republic which have been reclaimed or salvaged as a result of alteration, repairs or dismantling shall be picked up in the accountability of the supply officers thereof in the Report of Property Found in Station Form.

G. Records to be maintained by Supply Officer

- i. For Land – The Director, CGREMS shall keep real estate records, General Form Nr 46(a), showing the location, plan, brief description, assessed value and the number by the PCG. The Director, CGREMS shall submit annually to the Commandant, PCG complete inventory report of the same.
- ii. For Buildings – The Supply Officer shall maintain equipment Ledger Cards, General Form Nr 46(a), showing the location, plans or brief description and assessed value. All buildings and installations acquired by the PCG whether Republic or Non-Republic shall be recorded in these cards. The cards at the Office of the Director, CGREMS shall reflect all the buildings of the PCG including those whose accountabilities have been transferred to units in the field.
- iii. In both accountabilities for land and for buildings, the records by the Accountable Officers shall be subject to the examination and audit by the Commander, CGIA or his authorized representative and by the Auditor General or his authorized representative.

H. Transfer of Accountability

- i. The accountability and/or responsibility for lands: including the records thereof, shall upon relief of the Director, CGREMS be automatically transferred to the incoming Director, CGREMS (General Form Nr 30 (a)).
- ii. The accountability for all PCG buildings shall also be transferred by means of Invoice Receipt, General Form Nr 30 (a).

I. Relief of Accountability for Real Property

1. Land – When the PCG loses ownership of any piece of land by sale, transfer or other forms, the Director, CGREMS shall be relieved of his accountability upon notation in the Equipment Ledger Cards, supported by papers or documents concerning the transaction or evidencing the manner in which the PCG has lost ownership of such land. The original and two (2) copies of these documents shall be forwarded to the Commander, CGIA.

2. Buildings

- a Republic Buildings – Republic Buildings rendered unserviceable or worn-out through fair, wear and tear shall be dropped from the accountability of the Officer accountable thereof by I & I Report, General Form Nr 17 (a). Buildings rendered unserviceable other than by fair, wear and tear (such as destroyed by fire, typhoon or other forms calamities) shall be dropped from the accountability of the officer accountable thereof by a letter-request to the Auditor General in manner provided for under Section 638 of the Revised Administrative Code.



- b. Non-Republic Buildings – Buildings and installations rendered unserviceable by fair, wear and tear shall be dropped from the accountability by accomplishment and submission of the Inventory Adjustment Report. Buildings destroyed or damaged other than by fair, wear and tear (such as fire, typhoon or other forms of calamities) shall be dropped from the accountability of the officer accountable thereof through the Report of Survey.
- c. Alteration, Transfer and Demolition of PCG Buildings – No alteration or transfer of buildings belonging to the PCG shall be made without prior approval of the Commandant, PCG.

Any major or substantial alteration made on any PCG buildings under the book of accounts of the Director, CGREMS shall be reported to him within ten (10) days of completion of such alteration.

- J. Liability for Real Property - The Liability of the Director, CGREMS and other officers who have been officially entrusted with the possession or custody of land and buildings in whatever form acquired by the PCG, shall be in the manner and extent provided for by existing laws and regulations, particularly those prescribed by Section 633, 634 of the Revised Administrative Code. Liability for Non-Republic buildings shall be on the basis of the findings of the Survey Board or Survey Officer applying in all persons entrusted with the possession or custody of government property.

**XV. REVISION/AMMENDMENT CLAUSE:**

This policy shall be reviewed at least annually or as necessary.

**XVI. RECISSION CLAUSE:**

All policies, rules and regulations in conflict with this SOP is hereby rescinded.

**XVII. EFFECTIVITY:**

This SOP shall take effect thirty (30) days upon publication.

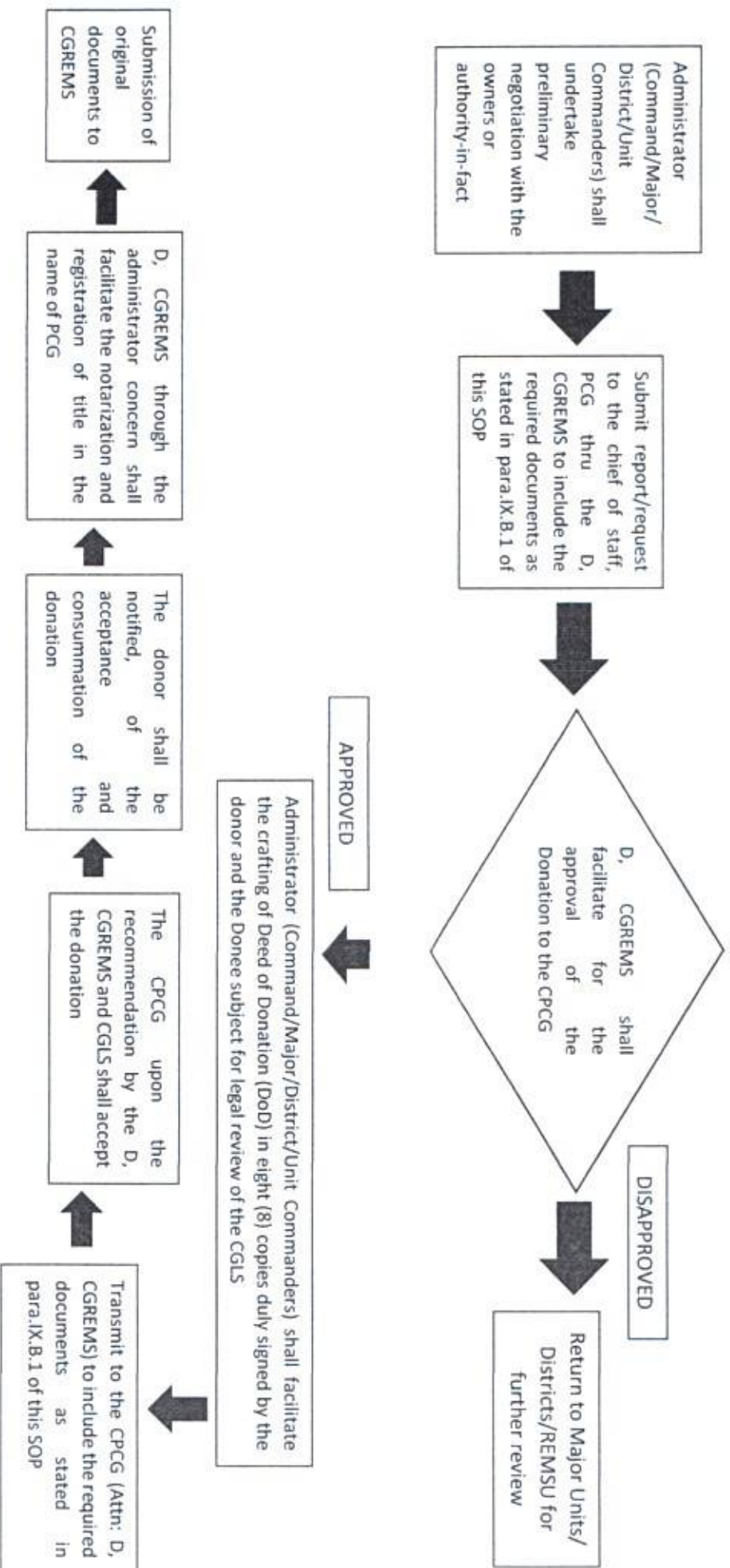
**BY COMMAND OF ADMIRAL GAVAN:**

**JOEVEN L FABUL**  
**CG COMMO**  
Chief of Coast Guard Staff

*Charity G*  
**CHARITY G COPIACO**  
**CG CDR**  
Coast Guard Adjutant  
♀

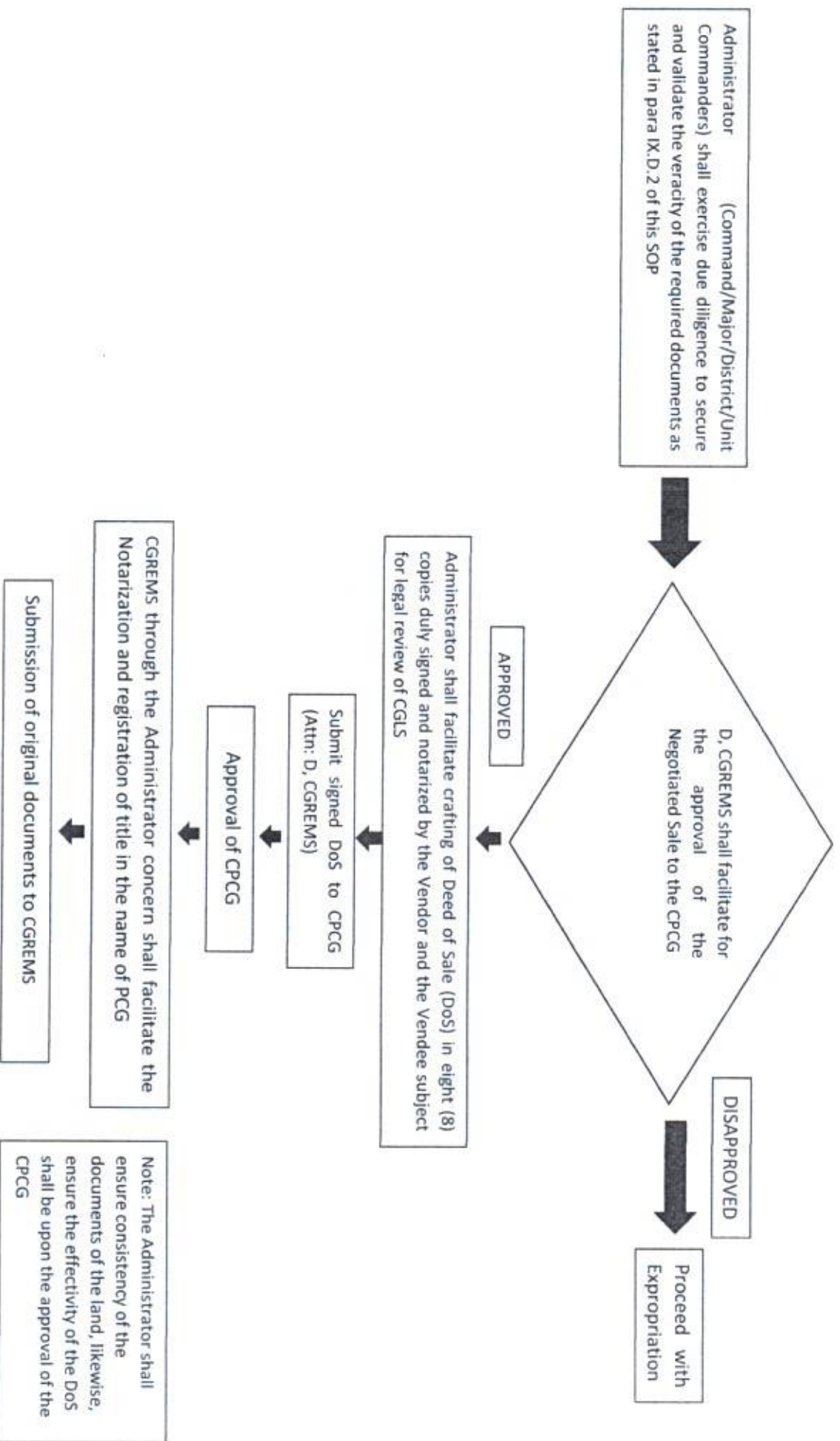


# FLOWCHART NR 1 PROCEDURES FOR ACQUISITION THROUGH DONATION



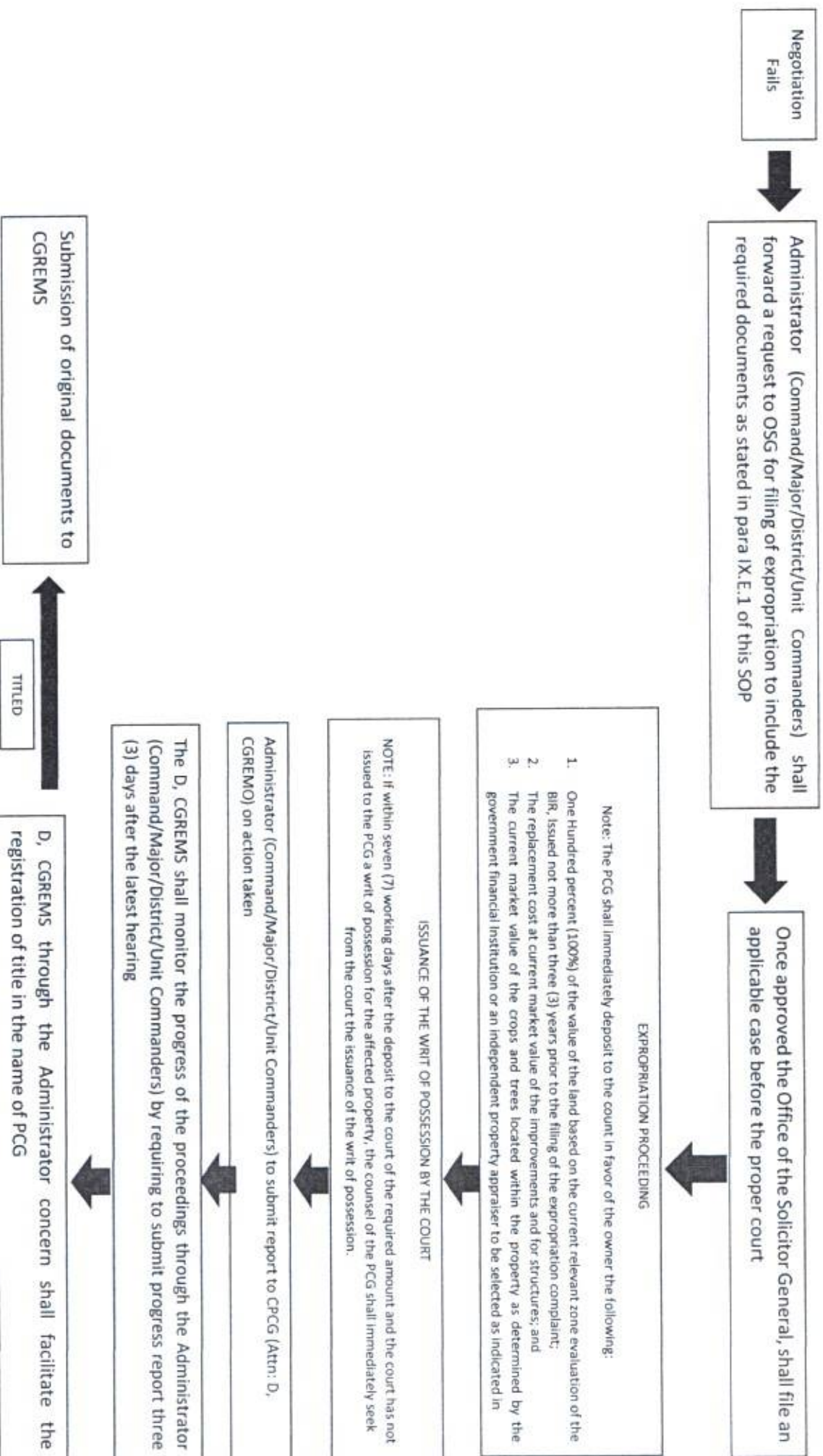


## FLOWCHART NR 2 PROCEDURES FOR ACQUISITION THROUGH NEGOTIATED SALE



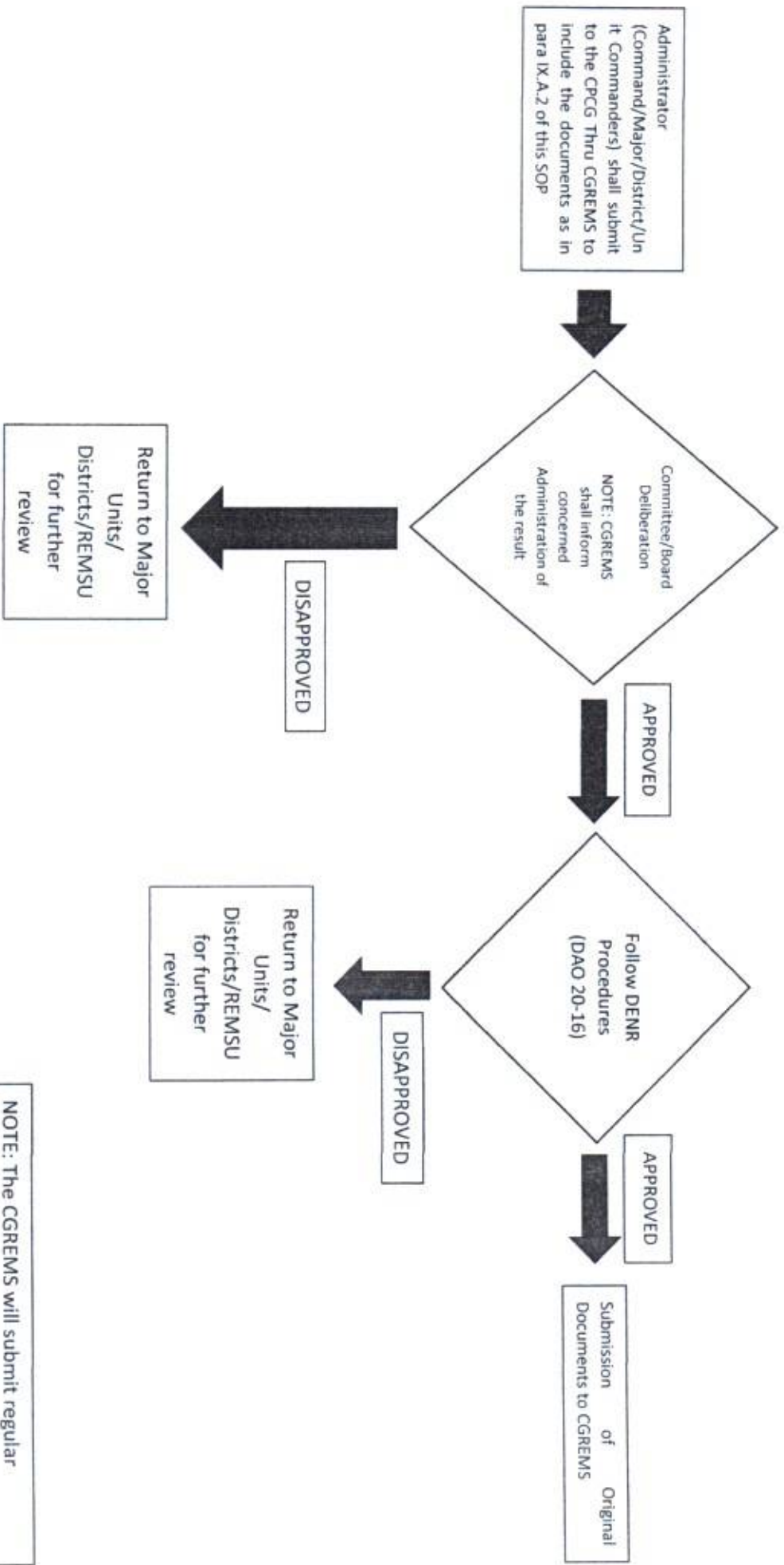


## FLOWCHART NR 3 PROCEDURES FOR ACQUISITION THROUGH EXPROPRIATION





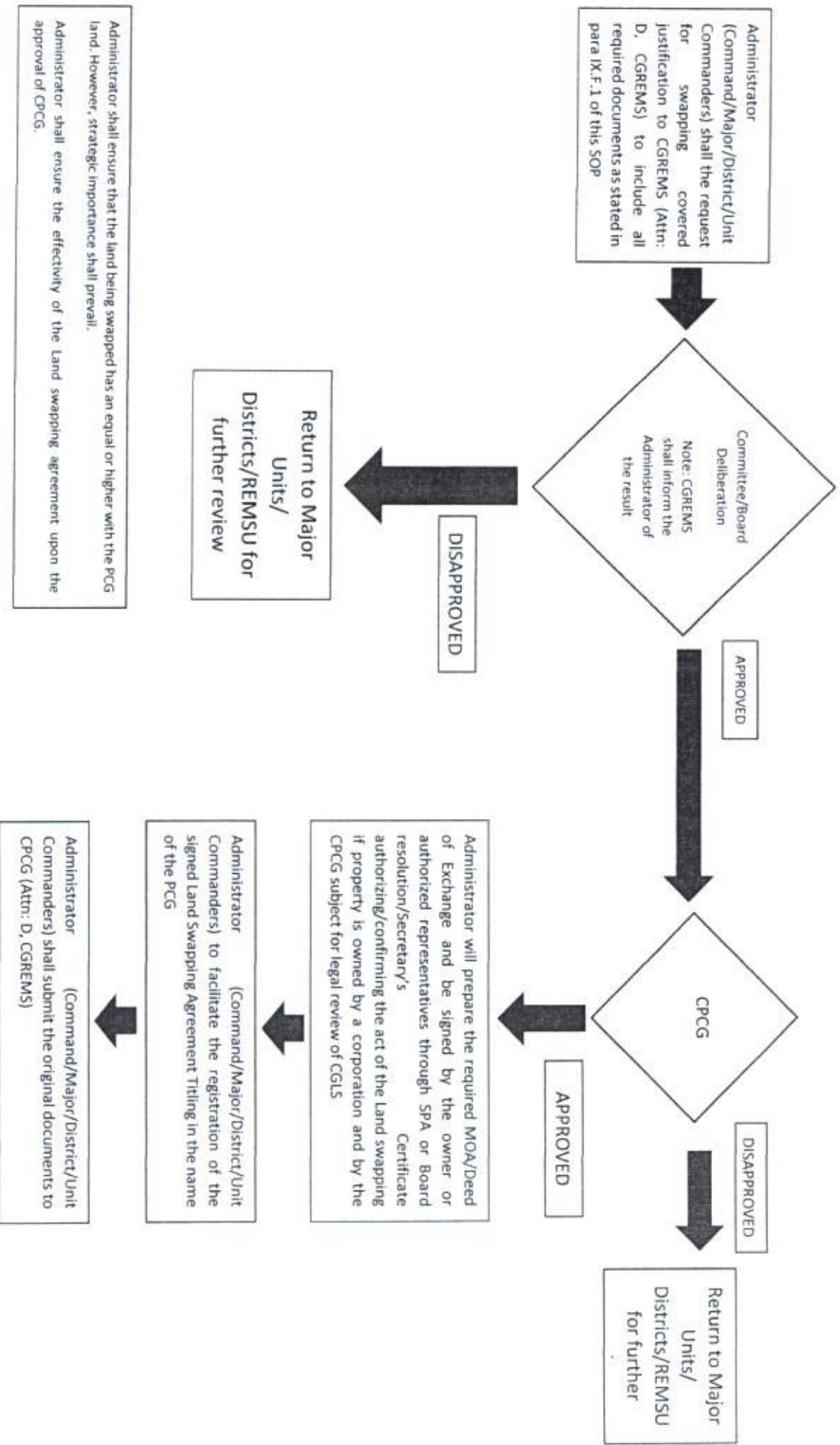
# FLOWCHART NR 4 PROCEDURES FOR ACQUISITION THROUGH PRESIDENTIAL PROCLAMATION



NOTE: The CGREMS will submit regular progress report to the CPCG in coordination with concerned Administrator including during the pendency of the issuance of Presidential Proclamation/Executive Order



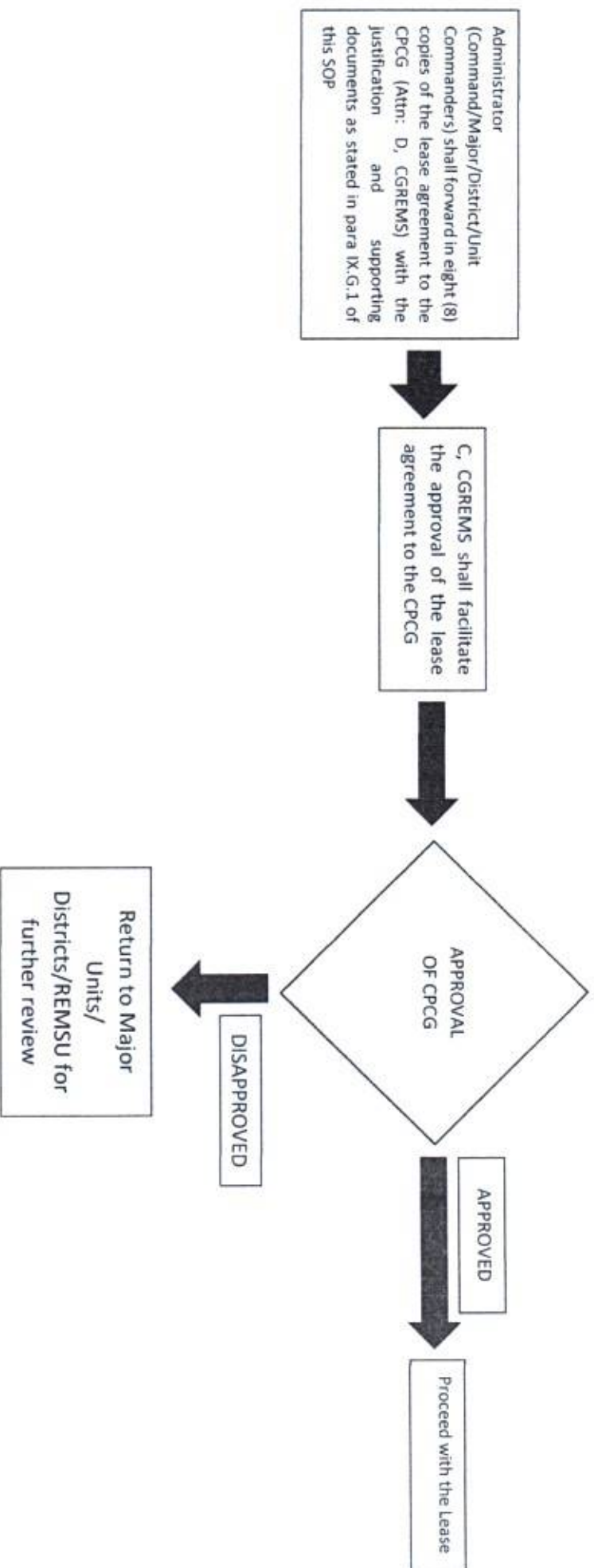
# FLOWCHART NR 5 PROCEDURES FOR ACQUISITION THROUGH BARTER (LAND SWAPPING)



Administrator shall ensure that the land being swapped has an equal or higher with the PCG land. However, strategic importance shall prevail.  
Administrator shall ensure the effectivity of the Land swapping agreement upon the approval of CPCG.



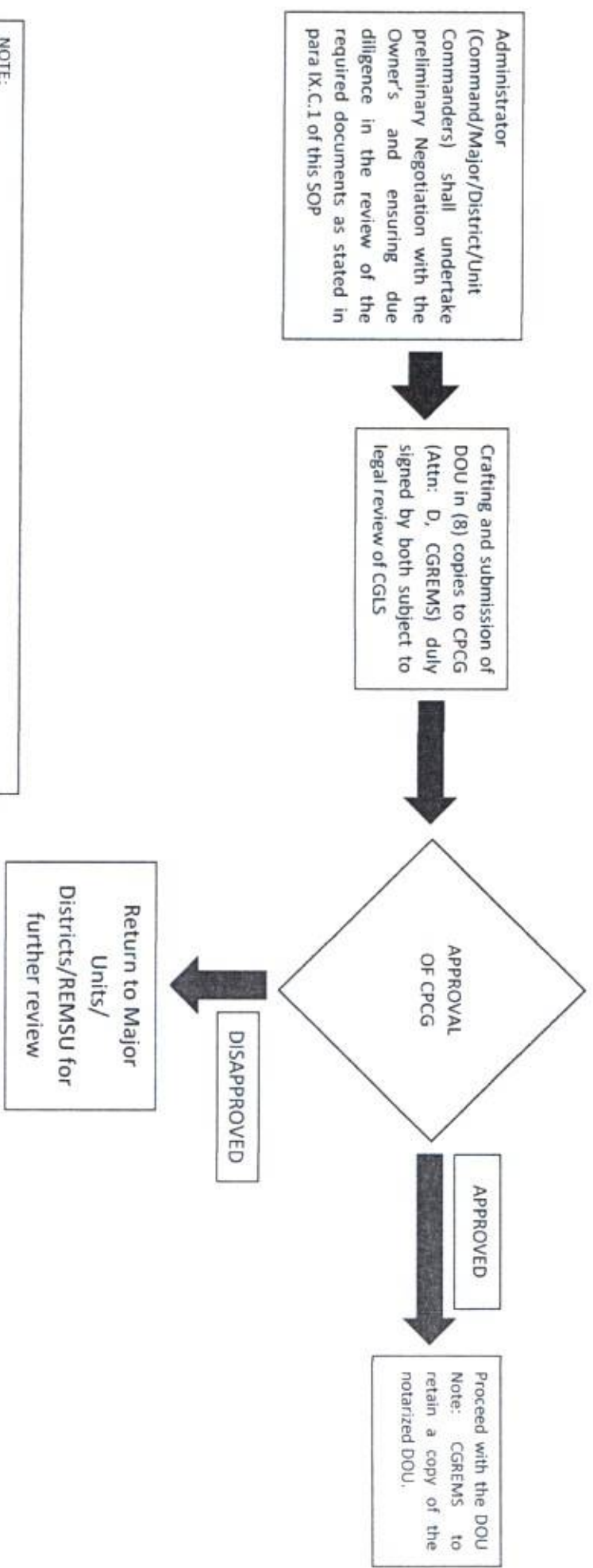
## FLOWCHART NR 6 PROCEDURES FOR UTILIZATION OF PRIVATELY OWNED OR GOVERNMENT PROPERTY (LEASE)



**NOTE:**

- The Administrator shall ensure the effectivity of the lease contract upon the approval of the CPCG.
- Payment of rentals shall be programmed annually by the CG-4.
- In case the Administrator to facilitate the renewal three (3) months prior to the explanation of contract.

# FLOWCHART NR 7 PROCEDURES FOR UTILIZATION OF PRIVATELY OWNED OR GOVERNMENT PROPERTY DEED OF USUFRACT (DOU)

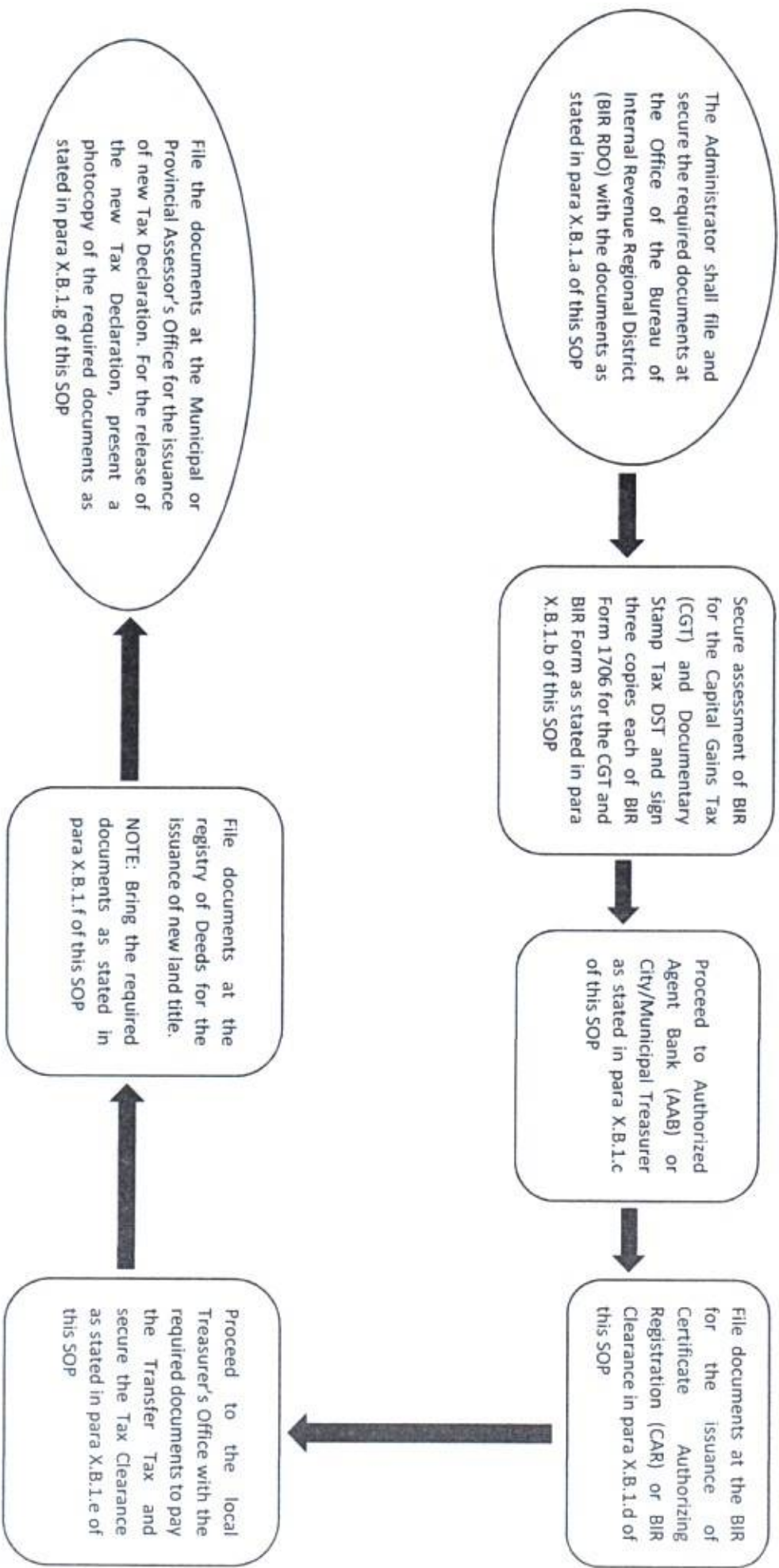


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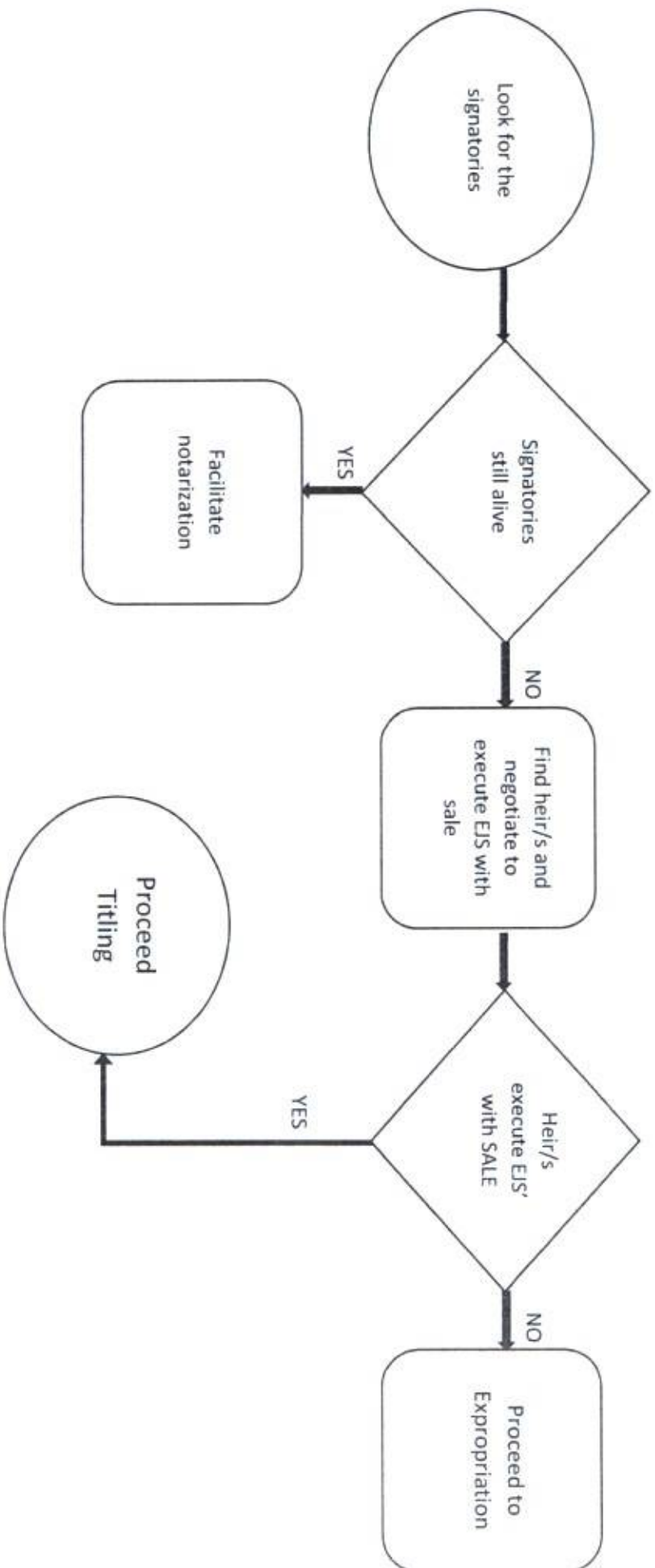
- The Administrator shall ensure the effectivity of the DOU upon the approval of the CPCG.
- In case that the agreement pertains to usufruct, Major Service concerned shall ensure the rights and obligation as usufructuary as provided for by law shall be included in the agreement and its fulfillment upon effectivity of the same.



## FLOWCHART NR 8 TITLING



# FLOWCHART NR 9 NOT NOTARIZED

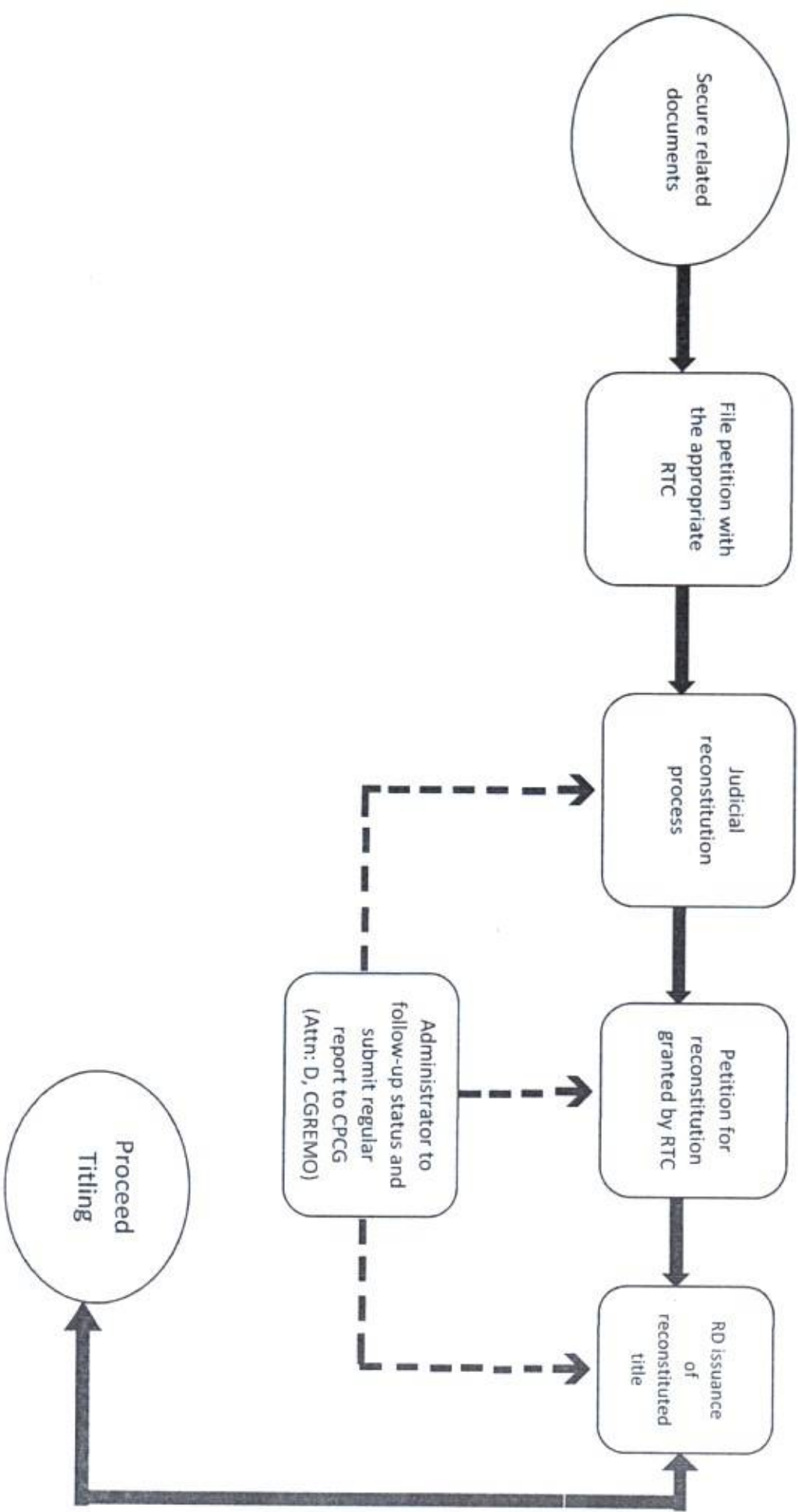


**NOTE:**

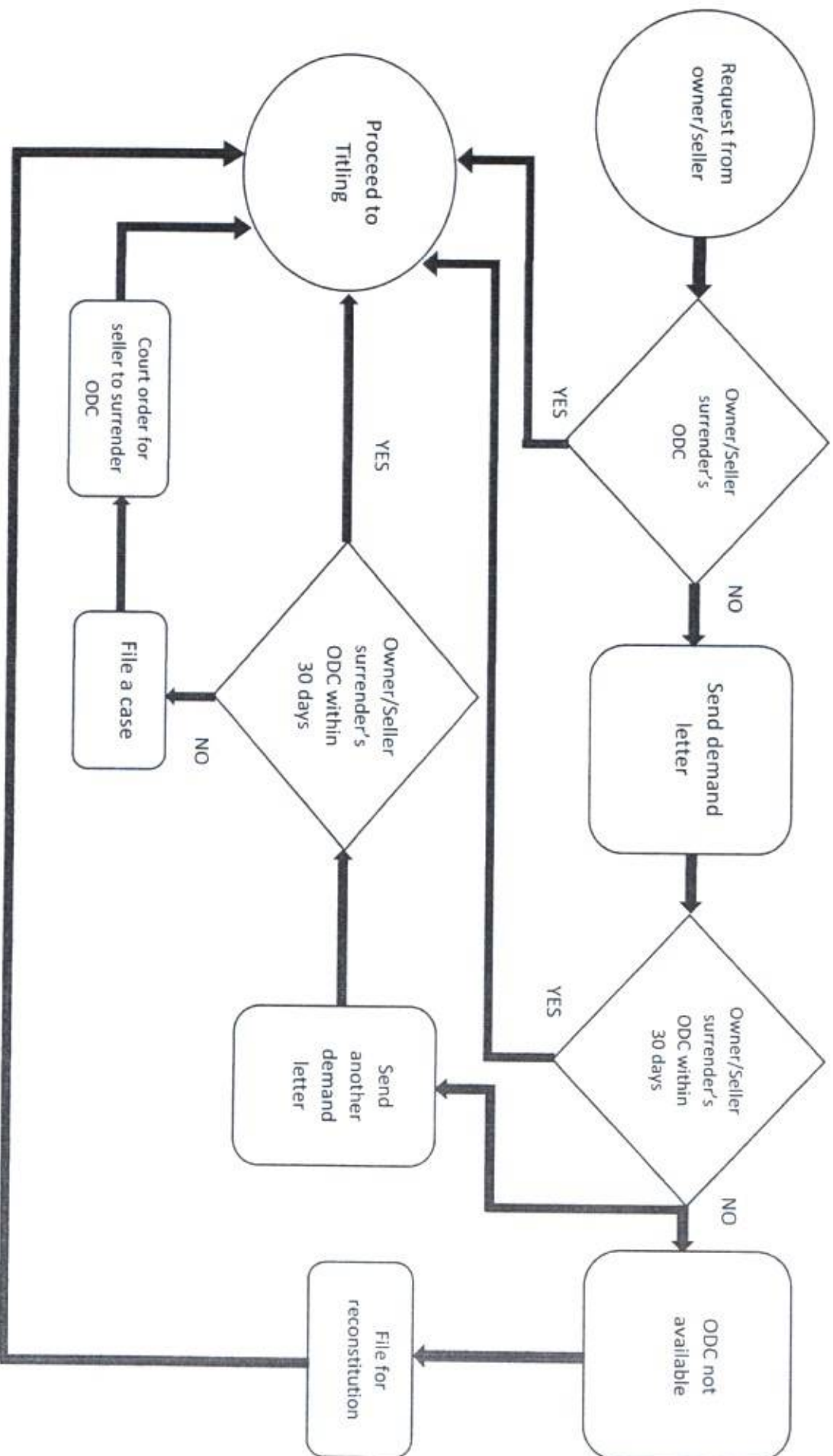
- 1- Judicial Affidavit of Sale/Donation from Heirs of Affidavit of Self-Adjudication if sole heir
- 2- Petition for Judicial Confirmation of Sale/Donation
- 3- Signatories physical presence or proof of life is required
- 4- Extra-judicial settlement with sale



**FLOWCHART NR 10  
GOVERNMENT COPY (JUDICIAL RECONSTITUTION) OF OCT/TCT**

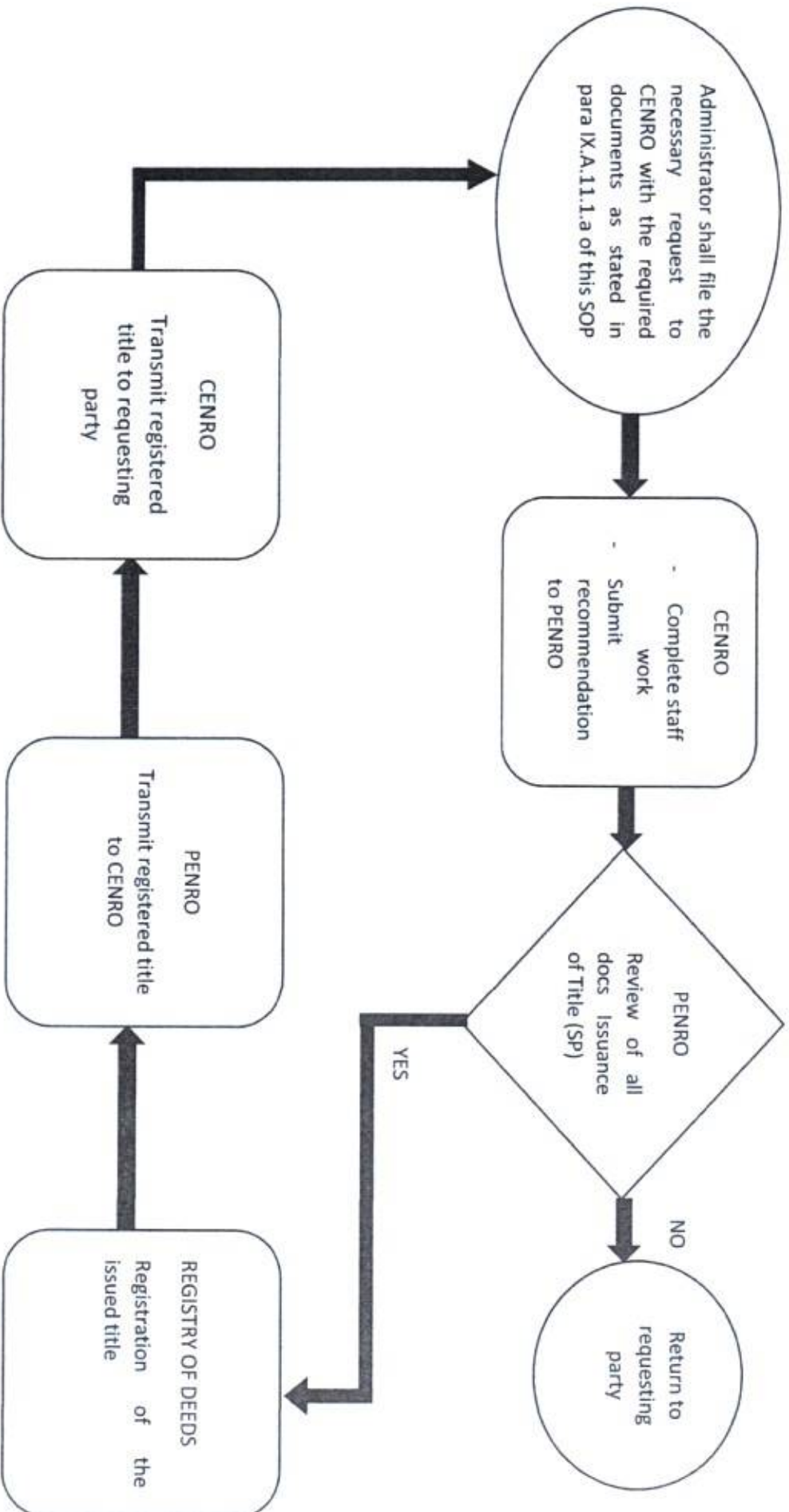


**FLOWCHART NR 10a  
BUYER DOES NOT HAVE OWNER'S DUPLICATE COPY (ODC) OF OCT/TCT**





# FLOWCHART NR 11 SPECIAL PATENT



# FLOWCHART NR 12 CO-LOCATION

