

# What is the Agricultural Free Patent Reform Act?

The Agricultural Free Patent Reform Act or Republic Act (RA) No. 11231 removes the restrictions on agricultural free patents under Commonwealth Act (CA) No. 141 or Public Land Act of 1936. The restrictions removed by the law are as follows:

- Five (5) year prohibition on encumbrance and alienation (Sec. 118 of CA 141);
- Five (5) year right to repurchase (Sec. 119 of CA 141); and
- Prohibition on corporation, association, or partnership to acquire or own an agricultural free patent (Sec. 121 of CA 141).

## Why were the restrictions removed?

- The State is easing up its policy on restricting transfers and repurchase on public land grants
- Restrictions deny access to formal credit market
- Landowners are more likely to sell their land in the informal market at a cheaper price
- The government losses revenues from taxes and fees because of informal market transactions

## What is an agricultural free patent?

Agricultural patents are land grants to farmers given title under the Public Land Act. To be entitled to a free patent, a farmer must be:

- a Filipino citizen;
- possessing/cultivating the land for 30 years; and
- paying taxes for 30 years.

## How is an agricultural free patent different from a Certificate of Land Ownership Award (CLOA)?

An agricultural free patent comes from public lands while CLOA comes from private lands distributed by the Government under the agrarian reform program.

## How is an agricultural free patent different from a residential free patent?

A residential free patent is issued to public lands that are zoned as residential, occupied for at least 10 years, and subject to applicable area limitations.

## Is RA 11231 retroactive?

Yes, RA 11231 is retroactive. It means that agricultural free patents issued before the law is passed will also be free of restrictions.

## FAQs on RA 11231

### If I have just sold an agricultural free patent, can I still buy it back?

Yes. For transactions made before the effectivity of the law, you still have the right to repurchase the land.

### Will the removal of the restrictions lead to land conversion?

The law will not affect land use. Land conversion is covered by separate laws and policies, namely RA 6657 or the Comprehensive Agrarian Reform Law, RA 8435 or the Agriculture and Fisheries Modernization Act, and Department of Agrarian Reform Administrative Order No. 1 s. 2002.

### Is there a need for DENR or LRA to issue implementing rules for this law?

No. Since the law is self-executing, the right created under this law is automatically acquired by the free patent holder.

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Land Management Bureau  
Rural Bankers Association of the Philippines  
Philippine Solar Power Alliance  
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# BENEFITS OF RA 11231



## FREEDOM TO CHOOSE

## FULL LAND OWNERSHIP

Right to use, exclude, and transfer



## ACCESS TO FORMAL CREDIT

For farm productivity/ mechanization

## INVESTOR CONFIDENCE



## LAND IS VALUED AT HIGHEST POSSIBLE MARKET PRICE

## FREER TRANSACTIONS

in the land market



## ABOUT FEF

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# FAQs on AGRICULTURAL FREE PATENT REFORM ACT Republic Act No. 11231