

REPUBLIKA NG PILIPINAS KAGAWARAN NG KATARUNGAN

PANGASIWAAN SA PATALAAN NG LUPAIN

(LAND REGISTRATION AUTHORITY LAW CENTER East Avenue cor, NIA Road

Quezon City

LRA CIRCULAR NO.: 16-2022 TIME

APR 0 5 2022

SUBJECT:

DATE: 64-05-22 84:3.D

IMPLEMENTING GUIDELINES ON THE USE OF THE PHILIPPINES PERSONAL PROPERTY SECURITY REGISTRY FOR THE SEARCH OF REGISTERED NOTICES INVOLVING SECURITY INTEREST ON PERSONAL **PROPERTIES**

WHEREAS, the Land Registration Authority ("LRA") is a government agency under the Department of Justice mandated by law to preserve the integrity of the land registration process, protect the sanctity of the Torrens System, and act as a central repository of records relative to original registration of land titled under the Torrens System, including subdivision and consolidation plans of titled lands and, through its Registry of Deeds Offices nationwide, be the repository of records of instruments affecting registered and unregistered lands and chattel mortgages in the province and the city wherein such office is situated;

WHEREAS, to support its mandate, the LRA is currently implementing the Land Titling Computerization Project ("LTCP") which seeks, among others, to maintain online information on titles that is current, complete and accurate; maintain the security and integrity of records by safeguarding these from tampering or destruction and deter substitution or insertion of questionable data; ensure the integrity of the land titling registration system by moving from a largely paper-based to a largely paperless system; protect land titles from loss due to fire, theft, natural disasters and the normal ravages of time; and, implement more reliable and predictable land registration procedures;

WHEREAS, Republic Act 11057, otherwise known as the Personal Property Security Act ("PPSA"), signed on August 17, 2018, was enacted to strengthen the secured transactions framework in the Philippines, and provide for the creation, perfection, determination of priority and enforcement of security interests in personal properties;

WHEREAS, pursuant to Section 26 of the PPSA and Section 5.01 of the PPSA Implementing Rules and Regulations (the "PPSA IRR"), LRA shall establish and administer an Electronic Registry, which shall provide an electronic means for registration and searching of notices;

WHEREAS, there is a need to provide guidelines for the proper use of the PPSR Search Registry for the guidance of LRA's Clients;

WHEREFORE, in consideration of the foregoing premises, this Authority shall allow the seaching of registered notices in the PPSR, as follows:

Article I Coverage and Objective

- This Circular shall cover the general rules and features for the searching of notices Sec. 1.1. and requesting for a certified search report in the Registry.
- Other services available in the PPSR shall be covered by separate Circulars. Sec. 1.2.

Article II General Rules and Features of the Search Registry

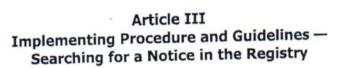
Sec. 2.1. Any person may submit a Search Request provided that the following rules and **政治公司研究中国公司1989 (3月879)**

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procedures are complied with:

- a. A User Account has been created by the Requestor following the implementing guidelines prescribed in LRA Circular No. 11-2021;
- The applicable Search Request parameters prescribed by the Registry are provided; and,
- c. The prescribed fee shall be paid based on the rates published by LRA for the use of the Registry.
- Sec. 2.2. The Registry shall refuse a Search Request if the request does not provide the mandatory details required to conduct a search.
- Sec. 2.3. Pursuant to Section 27 of the PPSA, any information contained in a registered notice is official and considered as a public record.
- Sec. 2.4. Public records shall be fully discoverable and shall be searchable by the public and may be examined by any person: *Provided* that the processing of all information shall be in accordance with the provisions of Republic Act 10173, or the "Data Privacy Act of 2012".
- Sec. 2.5. Pursuant to Section 36 (a) of the PPSA, the search result shall contain the following information:
 - The grantor's identification number or vehicle serial number that exactly matches the relevant criterion provided by the searcher;
 - The registration number, and the date and time of registration of the notice;
 and,
 - c. All of the information contained in the notice.
- Sec. 2.6. The Registry shall only provide results that exactly match the information being provided by the searcher.
- Sec. 2.7. Pursuant to Section 5.11 of the PPSA IRR, information of a terminated notice shall no longer be accessible to searchers of the Registry.
- Sec. 2.8. When conducting a search using the grantor or collateral details, the grantor or collateral identifier, as provided under Section 3.2 herein, that has been amended through the registration of an Amendment Notice shall no longer be searchable and discoverable in the Registry.
- Sec. 2.9. The System User shall input the required search parameters based on the following search types:
 - a. Grantor;
 - b. Notice Registration Number; and,
 - c. Collateral Details.
- Sec. 2.10. The search results generated by the Registry shall not include information on instruments affecting chattel mortgages and personal properties that were previously registered in the Chattel Mortgage Registry but are not yet registered in the PPSR. LRA Clients are recommended to inquire with the Registry of Deeds concerning the searching of deeds and instruments registered prior to the implementation of the PPSR.

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- Sec. 3.1. The System User shall log into the Registry System using a valid User Account to be able to search for an active Notice in the PPSR.
- Sec. 3.2. The System User shall provide the following details to conduct a search, based on the selected search type:
 - a. Grantor
 - 1) Grantor Name (Optional);
 - 2) Type of ID (Mandatory); and,
 - 3) ID Number (Mandatory).
 - b. Notice Registration Number
 - c. Collateral Details
 - 1) Motor Vehicle
 - a) Chassis Number (Mandatory)
 - 2) Machinery and Equipment
 - a) Serial Number (Mandatory)
 - 3) Intellectual Property
 - a) Registration Number (Mandatory)
- Sec. 3.3. The PPSR shall assess the total fees to be paid for the service. The System User shall be directed to the Online Payment Facility integrated with the PPSR.
- Sec. 3.4. Upon receipt of payment, the System shall generate the search result which shall reflect the following:
 - a. Search Details:
 - 1) Search Transaction Number;
 - Request Date and Time;
 - 3) Result Date and Time;
 - 4) Requested By;
 - 5) Search Type; and,
 - 6) Search Criteria.
 - b. Search Results:
 - 1) Number of records found based on the given criteria;
 - 2) Notice Registration Number;
 - 3) Notice Type;
 - 4) Registered Date;

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- 5) Term Start Date;
- 6) Term End Date; and,
- 7) Status.
- Sec. 3.5. The notice registration number shall be used to search for a terminated notice. However, the result of a search for a terminated notice shall not show the details of the notice. This shall only indicate the basic information of the notice, as follows:
 - a. Notice Registration Number;
 - b. Notice Registration Date;
 - c. Term Start Date (optional);
 - d. Term End Date;
 - e. Related Notices; and,
 - Status indicating that the notice has been terminated.
- Sec. 3.6. The collateral type which may be searched by its parameter shall only be collaterals that are identifiable by its unique identification code such as, but not limited to, motor vehicles, machinery and equipment, and intellectual property.

Article IV Implementing Procedure and Guidelines — Searching for a Notice in the Registry through a Directive of a Court Order

Sec. 4.1. The LRA, as the Administrator of the Registry, shall be able to search for active and inactive (lapsed or terminated) notices created by anyone across the Registry through a directive of court order.

Article V Implementing Procedure and Guidelines — Requesting for Certified Search Report

- Sec. 5.1. The System User shall log into the Registry System using a valid User Account to be able to request for a Certified Search Report, which is a system output-certification of the search results in the PPSR.
- Sec. 5.2. After conducting a search as provided in Article III herein, the System User shall be able to request for the Certified Search Report;
- Sec. 5.3. The System User shall provide the recipient's name, email address and mobile number;
- Sec. 5.4. The PPSR shall assess the total fees to be paid for the service. The System User shall be directed to the Online Payment Facility integrated with the PPSR.
- Sec. 5.5. Upon receipt of the payment, the Certified Search Report which shall be available in electronic copy (i.e., Portable Document Format) shall be sent to the recipient's email address provided by the System User.
- Sec. 5.6. The following details shall be reflected in the Certified Search Report:

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- 1) Search Transaction Number;
- Search Transaction Date and Time;
- Result Date and Time;
- 4) Search Type;
- 5) Search Criteria; and,
- 6) Count of Notices Found.
- b. Search Report Summary:
 - 1) Notice Registration Number;
 - 2) Registration Type;
 - 3) Registration Date and Time;
 - 4) Registered By;
 - 5) Notice Status; and,
 - 6) Term End/Termination Date and Time.
- Sec. 5.7. Pursuant to Section 36 (b) of the PPSA, a Certified Search Report may be issued upon request, and shall serve as an official record of the Registry and shall be admissible into evidence in judicial proceedings without extrinsic evidence of its authenticity.
- Sec. 5.8. A Certified Search Report shall be used as an official documentation of when the date and time the search was conducted, the information reflected therein was the search result retrieved from the PPSR.

Article VI Fees and Fee Collection

- Sec. 6.1. LRA shall issue a separate Circular covering the LRA Fees, IT Service Fees and all other fees that shall be assessed and collected for the use of the Registry.
- Sec. 6.2. An Electronic Official Receipt ("eOR") shall be sent to the email address provided during payment for all confirmed payments received by the LRA through the PPSR.

Article VII Common Provisions

- Sec. 7.1. If any provision of this Circular, or any application thereof, is declared invalid or unconstitutional, the other provisions not affected thereby shall remain valid and subsisting.
- Sec. 7.2. The LRA shall publish updates and amendments to this Circular as may be required.
- Sec. 7.3. This Circular shall take effect immediately after its publication in a newspaper of general circulation, the filing of three (3) copies thereof with the University of the Philippines Law Center, and the official declaration of the LRA that the PPSR is operational with respect to the Search Registry, unless it is otherwise provided.

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_____, Quezon City, Philippines.

ROBERT NOMAR VILEYRETANA, CESO II

OIC - Administrator (As per DOJ DO No. 099 dated March 17, 2022)

Chief, Central Navorus Section



Republic of the Philippines

UNIVERSITY OF THE PHILIPPINES DILIMAN Diliman, Quezon City TIN - 000-864-006-002



OFFICIAL RECEIPT

No. UPD- 3949742

April J. 2022 DATE:

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