

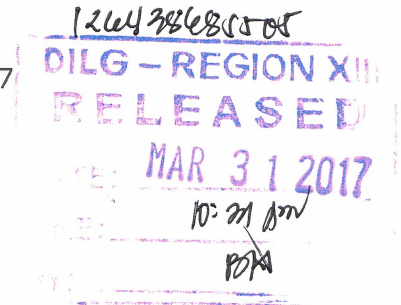


Republic of the Philippines
Department of the Interior and Local Government
Region 13 (Caraga)

March 15, 2017

VICENTE M. OMAÑA
SB Secretary
Loreto, Dinagat Islands

file



Dear Mr. Omaña:

This refers to your request for legal opinion on the letter of Mr. Ruben B. Segador, General PTA President, and Ms. Jeanette H. Modelo, Principal II, of Loreto Central Elementary School, Loreto, Province of Dinagat Islands, for the Local Government Unit to donate the land owned by the LGU and occupied by the school, to Loreto Central Elementary School. This is in line with the requirement of the Department of Education to have land titles under the name of the respective schools.

Republic Act 7160, otherwise known as the Local Government Code of 1991, specifically states the corporate powers of the local government unit, to wit:

"SECTION 22. Corporate Powers. - (a) Every local government unit, as a corporation, shall have the following powers:

xxx

(4) **To** acquire and **convey real** or personal **property**;

xxx"

As such, it is within the corporate power of LGU Loreto to donate real property to another entity, in this case, Loreto Central Elementary School. It is the LGU that decides whether to donate in whole or in part the subject property.

This opinion is rendered without prejudice to any contrary decision or opinion of competent higher authorities and the courts.

Thank you and God bless!

Truly yours,

[Signature]
LILIBETH A. FAMACION, CESO III
Regional Director

cc: *Domingo E. Bulabog*
Provincial Director
DILG-Province of Dinagat Islands

Desiree Bajan
MLGOO - Loreto, Province of Dinagat Islands

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