



Republika ng Pilipin
KAGAWARAN NG AGRIKULTURA PORMANG PANSAKAHAN
(Department of Agrarian Reform)
Tanggapan ng Kalihim
Diliman, Lungsod ng Quezon
Pilipinas

DEPARTMENT OF
ENVIRONMENT AND
NATURAL RESOURCES
Visayas Avenue, Diliman, Quezon City



JOINT DAR-DENR ADMINISTRATIVE ORDER NO. 2¹⁸⁸
Series of 1987

PP
1/14/88

SUBJECT: Guidelines for the Implementation of Sec. 15,
E.O. 229, on Joint DAR-DENR Certification
on Public Lands.

Pursuant to Sec. 15, Executive Order No. 229, dated 22 July 1987 and Sec. 3 (g) of Executive Order No. 129-A, dated 26 July 1987, the following rules and procedures are hereby promulgated for the guidance and compliance of all concerned:

I. SCOPE

This Order shall apply only to alienable and disposable lands of the public domain suitable for agriculture programmed under the CARP, and located outside of areas proclaimed or reserved as settlements for the DAR or proclaimed as reservation for other government entities.

II. DELINEATION OF RESPONSIBILITIES

A. The DENR shall be responsible for the following activities:

1. Classification of the lands as alienable and disposable, and further sub-classification as may be necessary;
2. Survey of the land and subsequent production of approved plan and technical description;
3. Provision of the application forms and other supporting forms;
4. Acceptance and processing of applications;
5. Collection of application fees and other fees;



6. Field investigation and ocular inspection;
and
7. Preparation and issuance of land patent or
lease contract.

B. The DAR shall be responsible for the following
activities:

1. Review the qualifications of the
applicant/beneficiary based on the
application;
2. May conduct ocular inspection/
investigation in relation to the issuance
of a clearance on the qualification of the
applicant;
3. Submit report/certification on the
acceptability and the qualification of the
beneficiary, individually or jointly with
the DENR field representative.

III. BASIC QUALIFICATIONS OF APPLICANT/BENEFICIARY

In general, the basic qualification
requirements enumerated in the Public Land Act (C.A.
141), as amended, shall be observed. Some of the
qualifications are re-stated hereunder for ready
reference:

A. Citizenship

1. For Homestead, Sales and Lease - Filipino
Citizens;
2. For Free Patent application - Natural born
Filipino Citizen.



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B. Age

1. For Homestead - Over eighteen (18) years old or head of family if below eighteen (18) years old;
2. For Sales - at least of legal age or head of a family if below legal age;
3. For Lease - at least of legal age; and
4. For Free Patent - no age qualification.

C. Other Qualifications

1. Actual occupant-tiller, for homestead, sales and lease applications;
2. Landless farmer/farm worker when land applied for is vacant public land; or
3. Legitimate claimant under Chapter VII C.A. 141, as amended, if not actual occupant/tiller; and
4. In all cases, the applicant must not have been an Agrarian Reform beneficiary previously. However, farmers whose landholdings may be categorized as uneconomical, as defined under Sec. 166 (20) R.A. 3844 (Agricultural Land Reform Code), may be granted additional acquisitions allowed under the Public Land Act.



IV. PROCEDURE

- A. Applicant shall file his application in the prescribed form at the DENR Office concerned (CENRO/PENRO);
- B. Application is received and subjected to preliminary processing;
- C. Copy of the application is referred to the Municipal Agrarian Reform Office (MARO) concerned for the issuance of a certification on the acceptability of the applicant as a CARP beneficiary;
- D. MARO reviews application as to the qualification of the applicant as a CARP beneficiary and may conduct ocular inspection as deemed necessary;
- E. MARO prepares report/certification on prescribed form (to be devised) and forwards same to Community Environment and Natural Resources Office (CENRO) concerned, copy furnished PARO.
- F. CENRO submits complete documents to PENRO for final processing.
- G. PENRO and PARO jointly confirm certification issued by MARO and CENRO.
- H. Field Office concerned of DENR proceeds with final processing.
- I. Field Office or Central Office of DENR issues patent.
- J. The PENRO and the PARO shall render a monthly report on all patents jointly processed by DENR/DAR and submit the same to their respective Undersecretary for Planning and policy, copy furnished the LMB.



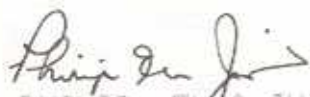
V. GENERAL PROVISIONS


- A. For convenience and facility in processing, the existing prescribed official forms of each agency shall continue to be used.
- B. Insertions of minor provisions, as may be agreed upon by DAR and DENR, may be made in the various forms concerned, for convenience and facility.
- C. Such new forms as may be necessary, whether to be signed jointly or separately by DAR and DENR, shall be prepared by DAR and DENR in consultation with each other.

VI. RESOLUTION OF DISPUTES

- A. Disagreements on the qualifications or eligibility of an applicant/beneficiary, on the MARO-CENRO level shall be resolved on the PENRO-PARO level.
- B. Any person who is not satisfied with the joint PENRO-PARO decisions may appeal the case to the Regional level of the DENR-DAR. The joint decision of the DENR-DAR regional directors shall be final.

VII. EFFECTIVITY - This Order takes effect immediately.


PHILIP ELIA JUICO
Secretary
Dept. of Agrarian Reform


FULENCIO S. FACTORAN, JR.
Secretary
Dept. of Env. & Natural Resources