



Republic of the Philippines
DEPARTMENT of AGRARIAN REFORM
ELLIPTICAL ROAD, DILIMAN, QUEZON CITY • TELS. 928-7031 TO 39

ADMINISTRATIVE ORDER NO. 02
Series of 2012

**SUBJECT: COVERAGE OF PRIVATE AGRICULTURAL LANDS UNDER
PHASE 3-A PURSUANT TO RA 6657, AS AMENDED**

I. POLICY STATEMENT

1. Section 7 of Republic Act No. 6657, as amended, provides that:

“The DAR, in coordination with the Presidential Agrarian Reform Council (PARC) shall plan and program the final acquisition and distribution of all remaining un-acquired and undistributed agricultural lands from the effectivity of this Act until June 30, 2014. Lands shall be acquired and distributed as follows:

x x x Phase Three: All other private agricultural lands commencing with large landholdings and proceeding to medium and small landholdings under the following schedule:

- a. Lands of landowners with aggregate landholdings above ten (10) hectares up to twenty-four (24) hectares, **in so far as the excess hectarage above ten (10) hectares is concerned**, to begin on July 1, 2012 and to be completed by June 30, 2013; and
 - b. Lands of landowners with aggregate landholdings from the retention limit up to ten (10) hectares, to begin on July 1, 2013 and to be completed by June 30, 2014; to implement principally the right of farmers and regular farm workers who are landless, to own directly or collectively the lands they till. x x x”
2. Administrative Order (A.O.) No. 7, Series of 2011 stipulates the revised rules and procedures governing the acquisition and distribution of private agricultural lands under Republic Act No. 6657, as amended. Section 5 of the aforementioned A.O. states that the schedule of acquisition and distribution of lands under Phase 3-A schedule shall start on 01 July 2012 up to 30 June 2013, involving all private agricultural lands with an aggregate area of above 10 hectares, with respect to the excess above 10 hectares; and all agricultural lands provided in the preceding LAD phases yet to be completed.
3. The coverage of private agricultural lands under Phase 3-A, in so far as the excess above ten (10) hectares, does not preclude the DAR from issuing Notice of Coverage for the entire landholding, however, actual acquisition and distribution of the deferred 5 hectares to 10 hectares portion shall commence on 01 July 2013 up to 30 June 2014. Distinction should be made for landholdings that does not exceed ten (10) hectares categorized under Phase 3-B.

II. SCOPE

This A.O. covers all private agricultural lands of landowners with single/aggregate landholdings above ten (10) hectares up to twenty-four (24) hectares, **in so far as the excess hectarage above ten (10) hectares is concerned**, under Phase 3-A of the prioritization provided by R.A. No. 6657, as amended.

III. PROCEDURES

The following procedures shall be adopted in order to ensure proper coverage of landholdings falling under Phase 3-A. The Revised Rules and Procedures Governing the Acquisition and Distribution of Private Agricultural Lands Under R.A. No. 6657, as amended, however, shall govern the other procedures of the land acquisition and distribution process not covered by this Administrative Order.

1. Notice of Coverage (LAD CARPER Form No. 3-B) shall be issued to lands of landowners with single/aggregate area of above ten (10) hectares up to twenty four (24) hectares, adopting the procedures under Sections 15 - 20 of A.O. No. 7, Series of 2011.

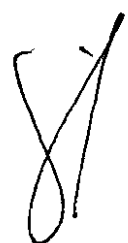
The NOC shall state that actual land acquisition and distribution under Phase 3-A will only be implemented in so far as the excess hectarage above ten (10) hectares of his/her single/aggregate landholding is concerned, however, the landowner may exercise the following options:

- a. choose the area/portion in excess of 10 hectares of his/her landholding to be covered under Phase 3-A and the 10-hectare area to be deferred coverage under Phase 3-B;
- b. exercise in advance his/her right to retain an area not exceeding five (5) hectares pursuant to Section 6 of RA 6657;
- c. offer under Voluntary Offer to Sell (VOS) the aggregate landholding above his/her retention limit for immediate CARP coverage; or
- d. offer under Voluntary Offer to Sell (VOS) the entire landholding, including his/her retention for immediate CARP coverage;

Should the landowner opt to offer under VOS his/her landholding under options c and d, the landholding subject of VOS shall be immediately covered under Phase 1 of RA 6657, as amended.

2. The landowner shall respond to the NOC within thirty (30) days from receipt or publication thereof, using CARPER LAD Form No. 4-A (Landowner's Reply to Notice of Coverage of Lands Under Phase 3-A) manifesting therein the option he/she has chosen and submitting the documentary requirements to support his/her option.
3. Depending on the option chosen by the landowner based on CARPER LAD Form No. 4-A, the DARPO/DARMO shall:
 - a. In case the landowner opted to offer under VOS his/her entire landholding/s or the area above his/her retention limit, the DARMO and DARPO shall immediately proceed with the coverage of the landholding/s in accordance with Administrative Order No. 7, Series of 2011 and other existing rules and regulations governing land acquisition and distribution under the VOS scheme.

- b. In case the landowner chose to defer coverage of the 5 hectares up to 10 hectares area/portion of the property/ies under Phase 3-B, the



DARMO/DARPO shall immediately commence the coverage of the landholding, including ARB identification, screening and selection, claim folder processing, land valuation and land distribution in so far as the area in excess of 10 hectares under Phase 3-A only, on 01 July 2012 in accordance with A.O. 7, S. of 2011.

However, for efficiency and considering the ensuing coverage under Phase 3-B, the total aggregate/single landholding issued with NOC shall be subject of segregation survey by the DARPO, with the following survey outputs:

- i. subdivision survey of the area in excess of ten (10) hectares for coverage under Phase 3-A;
 - ii. segregation survey of the ten (10) hectares deferred for coverage under Phase 3-B; and
 - iii. segregation survey of the retention area.
- c. Partial cancellation of landowner's title shall be requested by the DARPO from the Registry of Deeds (ROD) if the landholding is partially covered under Phase 3-A.
4. Failure of the landowner to respond to the NOC within the prescribed period constitute an authorization for the MARO to choose the area in excess of 10 hectares for coverage under Phase 3-A and the area for deferment of coverage under Phase 3-B.

Upon the MARO's identification of the said areas, he/she shall immediately proceed with the coverage of the landholding in excess of 10 hectares under Phase 3-A in accordance with Item III.3.b. of this Administrative Order.

IV. FINAL PROVISIONS

Landholdings under Phase 3-A already issued with NOC shall no longer be issued a new NOC, but the PARO through the MARO, shall send a Letter-Advisory to the landowner informing him/her/them that they may avail of the options provided in Item III.1 of this Administrative Order.

Any judicial pronouncement declaring as unconstitutional any provision of this Administrative Order shall have no effect on the validity of the other provisions not affected thereby.

This Administrative Order shall take effect ten (10) days after its publication in two (2) newspapers of general circulation and modifies or repeals all issuances or portions thereof inconsistent herewith.

16 MAY, 2012. Diliman, Quezon City.

Published in two (2) National Newspapers
of general Circulations:
1. Philippine Daily Inquirer
2. Malaya

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VIRGILIO R. DELOS REYES
Secretary

Department of Agrarian Reform
Office of the Secretary






Republic of the Philippines
DEPARTMENT of AGRARIAN REFORM

CERTIFICATION

This is to certify that DAR Administrative Order No. 2 Series of 2012 entitled **“COVERAGE OF PRIVATE AGRICULTURAL LANDS UNDER PHASE 3-A PURSUANT TO RA 6657, AS AMENDED”** is published today, Friday, 18 May 2012 at Philippine Daily Inquirer and Malaya newspapers.

Issued this 18th day of May 2012 for whatever purpose it may serve.


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